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NATIONAL ARCHIVES MICROFILM PUBLICATIONS

APPLICATIONS FOR ENROLLMENT OF THE
COMMISSION TO THE FIVE CIVILIZED TRIBES
1898 - 1914

ROLL 77

CHOCTAW FREEDMEN D 22- D 198

THE NATIONAL ARCHIVES
NATIONAL ARCHIVES AND RECORDS SERVICE
GENERAL SERVICES ADMINISTRATION

WASHINGTON: 1983

Choc FR D 22 George Wear

Granted
and record Trans to Choc FR 1536
OCT 18, 1905

empty

FR D 22

Choc FR D 23 Dan Battle

Granted
and record trans to Choc FR 1540
nov 27, 1905

empty

FR D 23

Choc FR D 24 George Graham

all other applicants trans to 17-1482

May 20, 1905

FR D 24

Enc B2.1
17-D24 INDEXED

32

IN RE
THE DEATH OF

George Graham

a ~~citizen of the~~

Choc. Freedman ~~Nation~~

Approved DEC 20 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 20 1902

ACTING CHAIRMAN.

CHOCTAW FREEDMEN #D-24

Choctaw Freedman D.24.

It appearing from the within affidavits that George Graham died on the 20th day of March, 1900, it is hereby ordered that the application for the enrollment of said George Graham as a Choctaw Freedman be dismissed.

Commissioner

Muskogee, Indian Territory,

DEC 14 1905

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of George Graham
(Here insert name of deceased.)

a ~~citizen~~ of the freedman of the Choctaw Nation, who formerly resided at or near Grant, Ind. Ter., and died on the 20 day of March, 1900.
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Matilda Graham, on oath state that I am 59 years of age and a ~~citizen, by~~ freedman, of the Choctaw Nation; that my post office address is Grant, Ind. Ter.; that I am
(Here insert name of post office.)

Mother of George Graham,
(State relationship as: the father; an uncle; a cousin, etc.) (Here insert name of deceased.)

who was a ~~citizen, by~~ freedman, of the Choctaw Nation; and that said George Graham died on the 20 day of
(Here insert name of deceased.)

March, 1900.

her
Matilda X Graham
mark

WITNESSES TO MARK:

(Must be Two Witnesses.) Wm Wilson
Wm C Bunn

Subscribed and sworn to before me this 4 *day of* December 1902.

H C Riley
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Andrew Campbell, on oath state that I am 34 years of age, and a ~~citizen, by~~ freedman, of the Choctaw Nation; that my post office address is Grant, Ind. Ter.;
(Here insert name of post office.)

that I was personally acquainted with George Graham
(Here insert name of deceased.)

who was a ~~citizen, by~~ freedman, of the Choctaw Nation; and that said George Graham died on the 20 day of
(Here insert name of deceased.)

March, 1900.

his
Andrew X Campbell
mark

WITNESSES TO MARK:

(Must be Two Witnesses.) Wm C Bunn
Wm Wilson

Subscribed and sworn to before me this 4 *day of* December 1902.

H C Riley
Notary Public.

CHOCTAW FREEDMEN

D 25

Warrick Prince et al

GRANTED

and record transferred to Choctaw Freedmen

148 3, MAY 2 1905

CHOCTAW FREEDMEN

D 26

Lee Lewis

GRANTED.
and record transfered to Choctaw Freedmen 1480.

APR 8 1905

CHOCTAW FREED[illegible]

D 27

Elsie Lewis et al

GRANTED

and record transferred to Choctaw Freedmen

1484 MAY [illegible]

D 28

Sarah Wilson et al.

GRANTED

and record trans-
ferred to Choctaw Tread-
men 1455 1405

Choc FR D 29 Joanna Record

FR D 29

CHOCTAW FREEDMEN. D 29

Joanna Reed, et al.

JUN 2[illegible] 1905

REFUSED JUN 28 1905

GRANTED

COPY OF [illegible] FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS. JUN 2[illegible] 190[illegible]

COPY OF DEC[illegible] FORWARDED
APPLICANT JUN 28 1905

RECORD [illegible] D DEPARTMENT.

[illegible] 190[illegible]

ACTION APPROVED BY
SECRETARY OF INTERIOR.
FEB 1[illegible] 1906

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. FEB 1[illegible] 1906

DEPARTMENTAL
ACTION MAILED APPLICANT.
FEB 1[illegible] 1906

Remainder of case transferred to
Choctaw Freedmen Docket # ~~[illegible]~~ 1546
FEB 19 1906

Muskogee, Indian Territory, April 16, 1901.

Lela Robins,

C/o J.H.Sleeper, Notary Public,

Grant, Indian Territory,

Dear Madam:-

The Commission is in receipt of the application for enrollment as a Choctaw freedman of Bessie Robins, the infant daughter of James and Lela Robins, born November 20, 1899.

You are informed that it will be necessary in the matter of the application for the enrollment of this child, as a Choctaw freedman, that the Commission be supplied with either the original or a certified copy of the marriage license and certificate between yourself and James Robins. Upon receipt of the same the application for the enrollment of your child will receive further consideration.

Kindly refer to the number given below when you reply to this letter.

Yours truly,

Acting Chairman.

17-D-29

Muskogee, Indian Territory, August 27, 1901.

Mr. Jim Robbins,

Grant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the marriage license and certificate between Jim Robbins and Lela Johnson, and the same has been duly filed with the records of the Commission.

You are informed that the records of this office show that there are two women by the name of Lela Robbins listed for enrollment as doubtful Choctaw freedmen, both being the same age and both granddaughters of Joanna Record. You are requested to state the name of your wife's father and whether living or dead, and whether or not he was a Choctaw freedman. You are requested to state also the name of your wife's mother and whether she is living or dead. Please give this matter prompt attention.

Yours truly,

Commissioner in charge.

17- D 29

Muskogee, Indian Territory, September 10, 1901.

Jim Robbins,

Grant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th instant, giving the names of the parents of your wife and stating that she is the grand daughter of Joanna Record.

Yours truly,

Commissioner in Charge.

17-D29

Muskogee, Indian Territory, December 13, 1901.

Jim Robins,

Grant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a Choctaw freedman of Zora Robins, the infant daughter of Jim and Lelar Robins, born August 5, 1901, and the same being in proper form, has been accepted and filed with the records of this office as evidence of the birth of this child.

Yours truly,

Commissioner in Charge.

17-D-29

Choctaw Freedman
555 D. C.

Muskogee, Indian Territory, December 11, 1901.

Mr. Record,

Grant, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 5, in which you ask if Linnie Record, child of Newton and Laura Record, formerly Laura Frazier, has been enrolled as a Choctaw Freedman.

In reply to your letter you are advised that it does not appear from our records that application has been made for the enrollment of Linnie Record as a Choctaw Freedman.

You are advised that if Linnie Record is an infant born since the time Laura Frazier was listed for enrollment as a Choctaw Freedman, and you will forward to the Commission evidence of her birth on the blank form herewith inclosed you, together with either the original or a certified copy of the marriage license and certificate between yourself and Laura Frazier as authority for the change of her name upon our records the matter of the enrollment of this child will receive consideration.

In having the inclosed application for enrollment executed be careful to see that all blanks are properly filled, all names written in full, and that the Notary Public before whom the affidavits are acknowledged affixes his name and seal to each affidavit. Signa-

tures by mark must be attested by two disinterested witnesses who can write.

You are informed that the Commission is now preparing rolls of the citizens and freedmen of the Choctaw and Chickasaw Nations for submission to the Secretary of the Interior, in accordance with the provisions of the act of Congress approved July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, and it is desired that all heads of families should appear at one of the appointments for the purpose of checking up the names of the members of their families with the records of the Commission. For the purpose of securing such testimony the Commission will be at South McAlester, Indian Territory from December 20 to December 24, 1902, inclusive.

Respectfully,

Acting Chairman.

R.C.
Env.

17-D-29.

Muskogee, Indian Territory, March 9, 1907.

Lelar Robins,

Sawyer, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter or March 3, 1907, asking if your enrollment has been approved, as you have received notice advising you that your application was denied June 28, 1905, and approved by the Department February 12, 1906.

In reply to your letter you are informed that on February 21, 1907, you were advised that the decision of the Commission to the Five Civilized Tribes of June 28, 1905, was approved by the Department February 12, 1906. Your case is, therefore, considered closed.

Respectfully,

Commissioner.

Freedmen

MEMORANDA.

(Date) 5/10 1899.

Name Lela Robbins

Choctaw? yes County Texas Year No. Roll

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship Choctaw Freedmen

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

Cut on white card

30

17-D-29.
17-D-30.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, INDIAN TERRITORY, SEPTEMBER 6, 1904.

In the matter of the application for the enrollment of Jeanna Record and her son, Newton Record, her grand children, Lela Robbins, Simmie Johnson and Ina Johnson, and her great grand children, Bessie Robbins and Mary Robbins, as freedmen of the Choctaw Nation.

Jeanna Record being first duly sworn on her oath, testified as follows:

Examination by the Commission:

Q What is your name? A Jeanna Record.
Q What is your age? A I do not know.
Q About how old are you? A I reckon close on to sixty.
Q What is your post office address? A At Denver.
Q What are your children's names? A Newton Record.
Q Only child you have? A Only one living.
Q Got any grand children? A Yes sir.
Q What are their names? A Lela Robbins, Ina Johnson, Simmie Johnson.
Q Great grandchildren? A Mary Robbins and Bessie Robbins.
Q Are all of these children, grandchildren and great grandchildren living? A Yes sir.
Q Living now? A Yes sir.
Q Living in the Choctaw Nation with you? A Yes sir I left them all at home.
Q You claim rights as a Choctaw freedman? A Yes sir.
Q To whom did you belong? A Joel Everidge.
Q Did you belong to the old man? A Old man Joel Everidge.
Q Was Joel Everidge a Choctaw Indian? A Yes sir. Half-breed, I reckon.
Q Have you always lived in the Choctaw-Chickasaw country?
Q Always lived in the Choctaw country? A No sir been over in Texas some.
Q Lived over in Texas? A Lived over there while.
Q How long? A I do not know.
Q About how long? A Stayed back and forth.
Q About how or twelve years when you lived in Texas?
A Last time I lived there been about six years ago since I lived there.
Q Did you get back here in the spring or fall of the year? A Got back in the spring, six years ago last spring.
Q What year was that? A I have been here six years last spring.

Q Were you the slave of Joel Everidge at the beginning of the war of rebellion? A Yes sir.
Q Were you the slave of Joel Everidge at the time of surrender? A Yes sir.
Q Remained his slave till the time of the surrender?
A Yes sir.
Q Never run off? A No sir.
Q How long after the surrender that you went to Texas?
A About twelve or thirteen years before I ever went to Texas.
Q you are sure it was ten or twelve years after the surrender before you went to Texas? A Yes sir.
Q And stayed over there over six years from last winter?
A No sir, my home here. I just hired there and went backwards and forward.
Q Where has been your home since the surrender? In the Choctaw Nation or in Texas? A Over here my home. I lived over there while, afterwards I hired and come back and stayed here. At first I just passed backwards and forth.
Q Who is the mother of Lela Robbins? A Bessie Johnson her name or Jane Johnson.
Q Ever known by any other name? A We called her Bess at the time, all name she ever had. Her name is Jerusha Jane Johnson.
Q Is Jerusha Jane Johnson your daughter? A Yes sir.
Q Where was she living when Lela Robbins was born? A She living in Texas.
Q Has Lela Robbins always lived with you? A She is married.
Q Where has Lela Robbins lived? A She lived in Texas till moved here.
Q When was that? A Been here about five years.
Q Came here a year after you did? A Yes sir.
Q Has Lela Robbins any children? A Yes sir.
Q What are their names? A Zora and Bessie.
Q Lela Robbins and her children all came to the Choctaw Nation year after you did? A Yes sir.
Q You came here when? A Six years last winter.
Q Who is the mother of Simmie and Ina Johnson? A Jerusha Jane.
Q Is Jerusha Jane the only daughter you ever had? A yes sir.
Q She is the mother of all your grandchildren? A Yes sir.
Q Is Newton Record married? A Yes sir.

Edith Russell, being first duly sworn on her oath, testified as follows:

Examination by the Commission:

Q What is your name? A Edith Russell.

Q What is your age? A I can not tell you, I can not keep up with my age.
Q About how old are you? A I reckon I am four or five years older than my sister.
Q About sixty-five? A Yes sir, I think I is.
Q What is your mother's name? A Farahy Wilkin.
Q What is your father's name? A John Russell.
Q Is your mother a freedman of a Choctaw Indian? A Yes sir.
Q Who did she belong to? A Joel Everidge.
Q Your mother and the mother of Joanna Record the same women and you have the same father, full sisters? A Yes sir.
Q You were both slaves of Joel Everidge at the time of the war and remained his slaves? A Yes sir. Good big girls, did all the cooking for Joel and cooked great deal for him since we have been freed.
Q Where have you lived since freedom? A On this side of the river.
Q Where has Joanna Record lived? A Been on this side of the river and lived a while in Texas.
Q Do you remember when Joanna Record came back from Texas?
A About six years from last winter.
Q Winter of 1897? A Yes sir, I guess so.
Q You know where Joanna Record has lived since the war?
A Yes sir.
Q How long after the war she went to Texas? A Long time I can't tell you exactly.
Q How long after the surrender that Joanna Record went to Texas? A Twelve or thirteen years.
Q Did you go to Texas with her? A No sir.
Q Always lived in the Choctaw Nation? A Yes sir, always lived in the Choctaw Nation.
Q Are you on the final roll? A Yes sir.
Q Been approved by the Secretary of the Interior? A Yes sir.

Jim Wilson, being first duly sworn on his oath, testified as follows:

Examination by the Commission.

Q What is your name? A Jim Wilson.
Q What is your age? A About fifty.
Q Do you remember anything about the war? A Yes sir, I worked then.
Q Do you know when Joanna Redord went to Texas? A She went there about twelve or thirteen years, maybe fourteen years after the surrender.
Q When did she come back from Texas? A Little over six years ago.
Q What year was it? A I do not remember now what year it was.
Q Where has she made her home since the surrender?

17-D-29.-17-D-30.---4.

A Stayed in Texas awhile. Worked over there.
Q All property she had over on this side? A Her furniture I know was on this side.

Daisy L. Daubin upon oath states that as stenographer to the Commission to the Five Civilized Tribes she correctly recorded the testimony in the above entitled cause and that the foregoing is an accurate transcript of her stenographic notes thereof.

Daisy L. Daubin

Sworn to before me this the 16th day of September A.D., 1904.

J. B. Humphrey

Notary Public.

CHOCTAW FREEDMAN D 30

Lela Robbins

Record transferred to

CHOCTAW FREEDMAN D *29

CHOCTAW FREEDMAN D 31

Maria Sands

Record transferred to

CHOCTAW FREEDMAN D #17

D 32

Daire Brown et al.

GRANTEE

and record transferred to Choctaw Freedmen 1911.

CHOCTAW ... 11 33

Nancy Lewis et al.

GRANTED.

and record transferred to Choctaw Freedmen

1486 MAY 1908

34
Breslau
Feb. 20

CHOCTAW FREEDMAN

D.

Nelson Coleman,

GRANT

and record transfered to Choctaw Freedmen #488,

Choc FR D 36 Charley Bartlett

FR D 36

Lanley Bartlett Dft. al.

CANCELLED

record except proof of death of Frances Bartlett transferred to Chodais Friedman #1400.

17-D36

INDEXED

CHOCTAW FREEDMEN 32

IN RE
THE DEATH OF

Frances Barlett

a citizen of the

Choctaw *Nation.*

Approved JAN 5 1905 *190*

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 5 1905

ACTING CHAIRMAN

R 36

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Frances Barlett
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Brazil (Here insert name of postoffice), Ind. Ter., and died on the 4th day of
March, 1900.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Charley Barlett, on oath state that I am 70 years of age and a citizen, by adoption, of the Choctaw Nation; that my post office address is Brazil (Here insert name of post office.), Ind. Ter.; that I am husband (State relationship as, the father, an uncle, a cousin, etc.) of Frances Barlett (Here insert name of deceased.), who was a citizen, by adoption, of the Choctaw Nation; and that said Frances Barlett (Here insert name of deceased.) died on the 4th day of March, 1900.

his
Charley X Barlett
mark

WITNESSES TO MARK:
(Must be Two Witnesses.)
J. O. Warmer
P. McKinney

Subscribed and sworn to before me this 16th *day of* December 1902

P. C. Bolger
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Annie Hawkins, on oath state that I am 30 years of age, and a citizen, by adoption, of the Choctaw Nation; that my post office address is Brazil (Here insert name of post office.) Ind. Ter.; that I was personally acquainted with Frances Barlett (Here insert name of deceased.) who was a citizen, by adoption, of the Choctaw Nation; and that said Frances Barlett (Here insert name of deceased.) died on the 4th day of March, 1900.

Annie Hawkins.

WITNESSES TO MARK
(Must be Two Witnesses.)

Subscribed and sworn to before me this 16th *day of* December 1902.

P. C. Bolger
Notary Public.

gie Rogers et al

GRANTED

and record transfered
to Choctaw Freedmen
489 MAY

CHOCTAW FREEDMAN D-38

Ann Johnson et al

GRANTED

and record transfered to Choctaw Freedmen 1490,

CHOCTAW FREEDMAN D 39

Tom Nunnally et al

GRANTEL

and record transferred
to Choctaw Freedmen
1491

CHOCTAW FREEDMAN D 40

Rena Blocker, et, al.

GRANTED

and record transferred to Choctaw Freedmen 1492, MAY 2 1898

CHOCTAW FREEDMAN D 11

John Rogers et al.

GRANTED

and transfered to Choctaw Freedmen 1473

MAY

D42

CHOCTAW FREEDMAN

Maria Rogers

GRANTED.

and record transferred to Choctaw Freedmen

1894, MAY

CHOCTAW FREEDMAN D 13

Mattie Brown,

GRANTED
and transferred to
Choctaw Freedmen Rolls
MAY 2[illegible] 1903

CHOCTAW FREEDMAN D 11

Amanda Reed child

GRANTED.

and transfered to Choctaw Freedmen 1894

MAY

CHOCTAW FREEDMAN D 15

Ensie Powell, et al,

GRANTED

and transferred to Choctaw Freedmen 1497, MAY 20 1905

CHOCTAW FREEDMAN D 46

Patsy Thornally
[illegible]

GRANTED
and transferred to
CHOCTAW FREEDMAN card No 1537
OCT 20 1905

CHOCTAW FREEDMEN. D-47

Boling McKinney et al.

Transferred to -17- 1570
Feby 27-1907.

CHOCTAW FREEDMA

D 18

Angeline Shelby et al,

GRANTED

and record transferred to
Choctaw Freedmen
1498.

MAR 2 1905

CHOCTAW FREEDMAN No. 49

James Waters
Ind.

GRANTED

and transferred to

CHOCTAW FREEDMAN card No. 1539

OCT 20 1905

CHOCTAW FREEDMAN D 50

David Davis

GRANTED

and record transferred to Choctaw Freedmen 1499, MAY 20 [illegible]

CHOCTAW FREEDMAN D

Ophelia Butler (nee Ward)
et al.

No 1 GRANT
and record transfered
to Choctaw Freedmen
901, MAY

No 2 to GRANT
and record transfered
to Choctaw Freedmen
874, MAY

Choc FR D52 malinda Jones

FR D52

CHOCTAW FREEDMEN. D. 52

Malinda Jones.

DECISION RENDERED.

REFUSED

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS

COPY OF DECISION FORWARDED
APPLICANT

MAY

RECORDED IN LAST DECISION

MAY

ACTION APPROVED BY
SECRETARY OF INTERIOR.

JUN 19 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JUN

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JU

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Cadeo, I.T., August 22, 1899.

In the matter of the application of Joe Gardner, said Gardner being sworn by Commissioner Needles and examined by him et als, testified:

I call myself about 63 years old. I belonged to the widow Gardner, a Choctaw. I have lived in the Territory all my life. My wife's name is Sinie Gardner. She used to belong to Ben James, Choctaw, and she has always lived here. Malinda Jones, my daughter, was in Paris, Texas, working about 9 years ago and married down there and since that has become crazy and is in an insane asylum there and cannot get back. She has been in the asylum about two years.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

I hereby certify, upon my official oath as stenographer to the above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

B. McDonald.

17-D-52.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Malinda Jones as a Choctaw Freedman.

--: D E C I S I O N:--

It appears from the record herein that on August 22, 1899, at Caddo, Indian Territory, application was made to this Commission for the enrollment of Malinda Jones as a Choctaw freedman.

It further appears from the record herein that the applicant is the daughter of Joe and Sinie Gardner, recognized and enrolled Choctaw freedmen, whose names appear as Nos. 1966 and 1967, respectively, upon the lists prepared by this Commission, under the Act of Congress approved July 1, 1902, (32 Stat., 641), of persons entitled to enrollment as Choctaw freedmen, and approved by the Secretary of the Interior April 8, 1903.

It further appears from the record herein that the applicant removed from the Indian Territory to the State of Texas about the year, 1890, and that she had not returned to and in good faith settled in the Indian Territory on or prior to June 28, 1898.

It is, therefore, the opinion of this Commission that Malinda Jones is not entitled to be enrolled as a Choctaw freedman, and that the application for her enrollment should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898, (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Commissioner.

C. R. Breckinridge,
Commissioner.

Muskogee, Indian Territory,

MAY 19 1905

17-D-52

Muskogee, Indian Territory, May 19, 1905.

COPY.

Malinda Jones,

Cadio, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 19, 1905, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED Tams Bixby

Chairman.

Registered.
Incl. 17-D-52

17-D-52

Muskogee, Indian Territory, May 19, 1905.

COPY.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered May 19, 1905, denying the application for the enrollment of Malinda Jones as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED Tams Bixby

Chairman.

Incl. 17-D-52

Muskogee, Indian Territory, May 19, 1905.

COPY.

The Honorable,

The Secretary of the Interior,

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Malinda Jones as a Choctaw freedman, including the decision of the Commission, dated May 19, 1905, denying said application.

Respectfully,

SIGNED Tams Bixby

Chairman.

Through the
Commissioner of Indian Affairs.

2 Incl. 17-D-32.

D.C.31318.

(COPY)

Refer in reply
to the following:

Land.
38944-1905.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON,

May 25, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated May 19, 1905, transmitting the record of the application for enrollment as a Choctaw Freedman by Malinda Jones.

May 19, 1905, the Commission decided adversely to the applicant.

The record shows that the applicant removed from the Indian Territory to the State of Texas about 1890 and that she had not returned and in good faith settled in the Indian Territory on or before June 28, 1898.

It is further shown in the case of Stella and Josiah Jones that this applicant died in 1900. Attention is invited to Office letter of this date (Land 38940-1905).

In view of the record the approval of the Commission's decision adverse to the applicant is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

M.M.M.
W.

D.C.31318. (COPY)

Refer in reply
to the following:

Land.
38944-1905.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON,

May 25, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated May 19, 1905, transmitting the record of the application for enrollment as a Choctaw Freedman by Malinda Jones.

May 19, 1905, the Commission decided adversely to the applicant.

The record shows that the applicant removed from the Indian Territory to the State of Texas about 1890 and that she had not returned and in good faith settled in the Indian Territory on or before June 28, 1898.

It is further shown in the case of Stella and Josiah Jones that this applicant died in 1900. Attention is invited to Office letter of this date (Land 38940-1905).

In view of the record the approval of the Commission's decision adverse to the applicant is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

M.M.M.
W.

17-D-52

Muskog e, Indian Territory, June 28, 1905.

COPY.

Malinda Jones,

Caddo, Indian Territory,

Dear Madam:

You are hereby notified that the Secretary of the Interior under date of June 19, 1905, affirmed the decision of this Commission dated May 19, 1905, denying the application for your enrollment as a Choctaw freedman.

Respectfully,

GNED Tams Bixby

Chairman.

17-D-52

Muskogee, Indian Territory, June 28, 1905.

COPY.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of June 19, 1905, affirmed the decision of this Commission dated May 19, 1905, denying the application for the enrollment of Malinda Jones as a Choctaw freedman.

Respectfully,

SIGNED Tams Bixby

Chairman.

17-D-52.

Muskogee, Indian Territory, August 17, 1904.

Malinda Jones,

Caddo, Indian territory.

Dear Madam:

In the matter of your application for enrollment as a freedman of the Choctaw Nation, it will be necessary for you to appear in person before the commission for the purpose of testifying relative to your right to enrollment as such freedman.

You should, therefore, appear before the Commission at its general office, Muskogee, Indian Territory as soon as possible; or you may appear at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904; or at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

Respectfully,

Commissioner in Charge.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-52

Muskogee, Indian Territory, May 19, 1905.

Malinda Jones,

Caddo, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 19, 1905, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

Registered.
Incl. 17-D-52

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

17-D-52

UNCLAIMED

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
FILED
AUG 15 1905

Commissioner.

RETURN TO
Malinda Jones
Caddo, Indian Territory.

AUG 20 1905
MUSKOGEE, IN.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
17-D-52.

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

17-D-52

FILED
OCT 9 - 1905
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
COMMISSIONER.

Malinda Jones,
Caddo,
Ind. Ter.

Choc FR D 53 Ned Campbell

empty

FR D 53

CHOCTAW FREEDMAN D 51

Ben Wright et al.

GRANTED

and record be referred to Choctaw Freedment

1512 MAY 21 1915

Refer to 17 D 53.

CHOCTAW FREEDMAN

D 35

Ben Brown

GRANTED.

nd record transferred

Choctaw Freedmen

13, 1905

CHOCTAW FREEDMAN D 56

Liza Smith et al.

GRANTED

and record transfered to Choctaw Freedmen

1514, MAY 2.. 1905

CHOCTAW FREEDMAN D -7

Susan Musgrove, et al

GRANTED

and record transfered to Choctaw Freedmen 1515,

MAY 22 1905

CHOCTAW FREEDMAN 11 8

Peter Campbell

GRANTED

and record transferred to Choctaw Freedmen 1516, MAY 2 1900

CHOCTAW FREEDMAN D. 59

Jeff Campbell, et. al.

GRANTED

and record transferred to Choctaw Freedmen as 1577, MAY 22 1905

Choc FR D 60 Isaac merriman

FR D 60

D. 60

CHOCTAW FREEDMEN.

Isaac Merriman.

REFUSED

DECISION RENDERED. MAY - 6 1905

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. MAY - 1905

COPY OF DECISION FORWARDED APPLICANT 1905

ACTION APPROVED BY SECRETARY OF INTERIOR

FEB 13 1906

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. FEB 23 1906

NOTICE OF DEPARTMENTAL ACTION FORWARDED TO APPLICANT FEB 20 1906

NOTICE OF DEPARTMENTAL ACTION APPLICANT FEB 20 1906

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Atoka, I.T. August 28, 1899.

In the matter of the enrollment of Isaac Merriman, said Merriman being sworn by Commissioner Kendrick and examined by him et als., testified:

I am about 47. I was born a slave. I belonged to a white man by the name of William Merriman. I belonged to that family. Merriman's wife was a Choctaw. I have been living in the Territory ever since I was freed. My children are all enrolled as Chickasaws. My wife is a Chickasaw. The Merriman family are Choctaws. Merriman took me into Arkansaw during the Civil War. When I was freed I came back to the Indian Territory in about '65.

Department of the Interior
[illegible]

[illegible]
[illegible]
[illegible]
[illegible]

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T., November 19th, 1902.

Choctaw
Freedman
D-60

--------oOo--------

In the matter of the application of Isaac Merriman for enrollment as a freedman of the Choctaw Nation.

Isaac Merriman being first duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Isaac Merriman.
Q What is your age? A I don't know exactly, I guess somewhere about fifty-one.
Q What is your post office address? A Lehigh.
Q How long have you been a resident of the Choctaw Nation?
A Resident?
Q Yes, how long have you lived in the Choctaw Nation?
A Ever since I can recollect.
Q Do you claim to be a freedman of the Choctaw Nation?
A Yes sir.
Q Were you a slave? A Yes sir.
Q What was the name of your master? A Merriman.
Q Was he a Choctaw Indian? A He had a Choctaw family.
Q His wife was a Choctaw? A Yes sir.
Q Which one of these partiesowned you, he or his wife; were you owned by Merriman? A They both owned me; I don't know which one exactly.
Q You don't know which one owned you? A No sir.
Q What was Merriman, a white man? A Yes sir.
Q Never made any claim he was Indian did he? A Not as I know of.
Q Where did they live? A They lived in Skullyville county.
Q Where were you living during the war? A I was living near Ft. Smith.
Q In Arkansas? A I suppose it is in Arkansas; I was on the bank of Poteau.
Q Were you in the state of Arkansas at that time? A I don't know just where the line was at that time; I don't know where the state of Arkansas was.
Q You lived on this side of Ft. Smith? A Yes sir.
Q Is that where this family were living? A No sir, they were up in Kansas at that time.
Q What were you doing down there? A Just staying there with some people that used to live with Merriman.
Q What were their names? A Dansby.
Q Were they Choctaw Indians? A No sir, freedmen.
Q Where were you living at the time of the freeing of the slaves?
A Right there on Poteau.
Q Don't you know that that was in the state of Arkansas?
A No sir, I don't know exactly that it was in the state of Arkan-

sas I was.
Q Didn't you state the last time you made application to the Commission you were living in Arkansas during the civil war?
A That's what they asked me; I told them I was living near Ft. Smith, but I didn't know where Arkansas was.
Q Don't know whether you was in Arkansas or the Indian Territory?
A No sir.
Q These people when they were up in Kansas had left you down there
A Yes sir.
Q Did they free you before they left? A I don't know sir, they let me stay down there; had turned me loose I guess; they wanted me to go but didn't force me to go.
Q Were you right near this place at Ft. Smith when the treaty was made freeing the slaves? A Yes sir.
Q Where did you go after that? A Back to the old place in the Nation on the Arkansas river.
Q Lived here ever since? A Ever since, yes sir.
Q This place near Ft. Smith was on the Poteau river? A Yes sir, on the Poteau river.
Q Near the Arkansas? A Yes sir, very nearly half a mile above the mouth of the creek.
Q On which side of the creek? A On the east side of the creek.

By R. L. Murray:

Q On the east side of Poteau? A Yes sir.
Q What particular place did you live on there? A Most of the Indians that went from here just built places right on Poteau there.
Q Did you have a place there before the war? A No sir.
Q You built it after you came back? A Yes sir; when we went there we just built little shanties to stay in while the war was going on.
Q Near the mouth of Mill Creek? A Little below the mouth of Mill Creek.

By the Commission:

Q Your master was this William Merriman? A Yes sir.
Q You were owned by him were you? A Yes, well, I don't know as I was owned by him; owned by that family.
Q Was his wife your mistress at all--had any ownership over you at all? A Yes sir, always took up for me.

By R. L. Murray:

Q Were you before the Board at Tishomingo once? A Just as a witness.
Q Didn't you apply for yourself? A No sir, I applied here at Atoka for myself.

By the Commission:

Q Do you make application for anyone else besides yourself?
A No sir.

Isaac Merriman---3

Q Just yourself? A Yes sir.

- - - - - - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 19th day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 13th day of December, 1902.

H. C. Ristine
Notary Public.

17-D-60

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, INDIAN TERRITORY, OCTOBER 21, 1904.

In the matter of the application of Isaac Merriman for enrollment as a freedman of the Choctaw Nation.

Charles Cohee having been first duly sworn upon oath testified as follows:

Examination by the Commission.

State your name? A Charles Cohee.
Q Do you know Isaac Merriman? A Yes sir.
Q Was he a slave? A Yes sir.
Q To whom did he belong? A I really have forgot; as near as I recollect he belonged to Isaac Wright when he was freed.
Q He was in the Chickasaw nation when he was freed? A Yes sir he was in the Chickasaw Nation.
Q Has he lived there ever since? A Yes sir he has lived right there on the line of the Choctaw and Chickasaw Nation ever since.

Mattie V Vaughn states upon oath that as stenographer to the Commission to the Five Civilized Tribes she correctly recorded the testimony in the above entitled cause and that the foregoing is an accurate transcript of her stenographic notes thereof.

Mattie V. Vaughn

Subscribed and sworn to before me this 26th day of October 1904.

Charles H. Jacoyan
Notary Public.

17 D.-60.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Isaac Merriman as a Choctaw Freedman.

--: D E C I S I O N :--

It appears from the record herein that on August 28, 1899, at Atoka, Indian Territory, application was made to this Commission for the enrollment of Isaac Merriman as a Choctaw Freedman. Further proceedings were had in the matter of said application at Atoka, Indian Territory, November 19, 1902, and at Muskogee, Indian Territory, October 21, 1904.

It further appears from the record herein that the applicant was the slave of _____ Merriman, a white man, during and at the close of the War of the Rebellion, and that he was never at any time a slave of a Choctaw Indian.

It is, therefore, the opinion of this Commission that Isaac Merriman is not entitled to be enrolled as a Choctaw Freedman, and that his application for such enrollment should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

C. R. Breckinridge
Commissioner.

Muskogee, Indian Territory,
MAY - 6 1905

17-D-60.

Muskogee, Indian Territory, May 6, 1905.

Isaac Merriman,

Lehigh, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Registered.

Enc-17-D-60.

17-D-60.

Muskogee, Indian Territory, May 6, 1905.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of this Commission, rendered May 6, 1905, denying the application for the enrollment of Isaac Merriman, as a Choctaw freedman.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED

T. B. Needles.

Commissioner in Charge.

Enc-17-D-60.

COPY.

Muskogee, Indian Territory, May 6, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application of Isaac Merriman for enrollment as a Choctaw freedman, including the decision of the Commission, dated May 6, 1905, denying said application.

Respectfully,

SIGNED T. B. Needles.

Commissioner in Charge.

2 Enc. 17-D-60.

Through the Commissioner

of Indian Affairs.

G.R.

DEPARTMENT OF THE INTERIOR, LLB

WASHINGTON.

T.T.D. 5612-1905. February 13, 1906.

L.R.S.

Commissioner to the Five Civilized Tribes.

Muskogee, Indian Territory.

Sir:

May 6, 1905, the Commission to the Five Civilized Tribes transmitted the record in the matter of the application of Issac Merriman for enrollment as a Choctaw freedman.

Reporting May 15, 1905, the Indian Office recommended that the Commission's decision, adverse to the applicant, be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation, and the decision of the Commission dated May 6, 1905, is hereby affirmed.

Respectfully,

Thos Ryan

First Assistant Secretary.

1 inclosure.

Land.
36175-1905.

DEPARTMENT OF THE INTERIOR,
INDIAN AFFAIRS,
WASHINGTON.

May 15, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated May 6, 1905, transmitting the record of the application for enrollment as a Choctaw Freedman by Isaac Merriman.

May 6, 1905, the Commission decided adversely to the applicant.

The record shows that the applicant was the slave of a white man during and at the close of the war of the rebellion and that he was never the slave of a Choctaw Indian.

In view of the record the approval of the Commissioner's decision adverse to the applicant is recommended.

Very respectfully,

C.F. Larrabee

Acting Commissioner.

W.V.V.
W.

17-D-60

Muskogee, Indian Territory, February 23, 1906.

Isaac Merriman,

Lehigh, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of February 13, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying your application for enrollment as a Choctaw freedman.

Respectfully,

Acting Commissioner.

17-D-60

Muskogee, Indian Territory, February 23, 1906.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of February 13, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the application for the enrollment of Isaac Merriman as a Choctaw freedman.

Respectfully,

Acting Commissioner.

17--D--60.

Muskogee, Indian Territory, May 23, 1905.

A. D. Brown,

Attorney at Law,

Lehigh, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 17, asking the status of the application of Isaac Merriman for enrollment as a Choctaw freedman.

In reply to your letter you are advised that on May 6, 1905, the Commission to the Five Civilized Tribes rendered its decision refusing the application of Isaac Merriman for enrollment as a Choctaw freedman and on the same date a copy thereof was forwarded him by registered mail to Lehigh, Indian Territory, and the record in the case was transmitted to the Secretary of the Interior. He will be notified of such action as is taken in his case by the Department.

Respectfully,

Chairman.

CHOCTAW FREEDMAN D. 61

Silas Brown, et al

GRANTED.
JUN 7 - 1905

CANCELLED
and transfered to
Choctaw freedman,
531, July 17 1905.

CHOCTAW FREEDMAN D. 62

Mary Brown, et al.

GRANTED.

JUN 7 - 1905

CANCELLED

and transfered to

CHOCTAW FREEDMAN 1532,

July 17 [illegible]

CHOCTAW FREEDMAN D 63

Lena Alexander, et al

Records transferred to

CHOCTAW FREEDMAN # 1474

CHOCTAW FREEDMAN 2). 21

Rachael Rodgers,

GRANTED
and record transfered
to Choctaw Freedmen
1500, MAY 21 1905

Choc FR D 65 Nancy Cheek

FR D 65

17-D-65.

Muskogee, Indian Territory, August 18, 1904.

Nancy Chalk,

Webbers Falls, Indian Territory.

Dear Madam:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as freedman of the Choctaw Nation, or you may appear for this purpose at the general office of the Commission at Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

REFER IN REPLY TO THE FOLLOWING:

17 D 65

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 27,1905.

Nancy Chalk,

Webbers Falls, Indian Territory,

Dear Madam:

In the matter of your application for enrollment as a Choctaw freedman you are advised that it will be necessary for you to appear at this office at as early a date as possible and testify relative to your rights as such freedman.

This matter should receive your prompt attention as no further action can be taken in the matter of your enrollment until such appearance has been made.

Respectfully,

Acting Commissioner.

17-D-65

Muskogee, Indian Territory, May 14, 1906.

I. P. Bledsoe,

Chouteau, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 5, 1906, inclosing affidavits of Rachel Gunter and John Drew to the death of Nancy Cheek or Chalk a Chootaw freedman which occurred January 16, 1900 and the same have been filed with the records of this office as evidence of the death of the above named person.

Referring to that portion of your letter in which you ask relative to the enrollment of two children of Nancy Chalk, you are advised that you do not mention the names of the children referred to and as it does not appear from the records of this office that application was made by Nancy Chalk for the enrollment of any children at the time she made application for her enrollment, it is impracticable to give you any information relative to the right of said children.

Respectfully,

Acting Commissioner.

17-D-65

Muskogee, Indian Territory, June 1, 1906.

Chief Clerk,

Chickasaw Land Office,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that Nancy Cheek or Chalk having died prior to September 25, 1902, the application for her enrollment as a Choctaw freedman has been dismissed; her name appears upon Choctaw freedman card D 65, and you will eliminate the name of this person from your list of undetermined applicants for enrollment as Choctaw freedman.

Respectfully,

Commissioner.

17-D-65

Muskogee, Indian Territory, June 1, 1906.

Chief Clerk,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

You are hereby advised that Nancy Cheek or Chalk having died prior to September 25, 1902, the application for her enrollment as a Choctaw freedman has been dismissed; her name appears upon Choctaw freedman card D 65, and you will eliminate the name of this person from your list of undetermined applicants for enrollment as Choctaw freedmen.

Respectfully,

Commissioner.

17-D-65

Muskogee, Indian Territory, July 3, 1906.

I. P. Bledsoe,

Choteau, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 18, 1906, in which you state that the names of the children of Nancy Cheek or Chalk, to whom you referred in your previous letter are Lucy Cheek eighteen years of age, and Della Cheek, age sixteen.

In reply you are advised that it does not appear from the records of this office that application has been made by or on behalf of Lucy and Della Cheek or Chalk, children of Nancy Cheek, for enrollment as Choctaw freedmen, and in this connection your attention is invited to the following provision of the Act of Congress, approved April 26, 1906:

> "That after the approval of this Act no person shall be enrolled as a citizen or freedman of the Choctaw, Chickasaw, Cherokee, Creek, or Seminole tribes of Indians in the Indian Territory, except as herein otherwise provided, unless application for enrollment was made prior to December first, nineteen hundred and five, and the records in charge of the Commissioner to the Five Civilized Tribes shall be conclusive evidence as to the fact of such application; and no motion to reopen or reconsider any citizenship case, in any of said tribes, shall be entertained unless filed with the Commissioner to the Five Civilized Tribes within sixty days after the date of the order or decision sought to be reconsidered except as to decisions made prior to the passage of this Act, in which cases such motion shall be made within sixty days after the passage of this Act: Provided, That the Secretary of the Interior may enroll persons whose names appear upon any of the tribal rolls and for whom the records in charge

I. P. B. #2

of the Commissioner to the Five Civilized Tribes show application was made prior to December first, nineteen hundred and five and which was not allowed solely because not made within the time prescribed by law."

The other matters referred to in your letter will be made the subject of a separate communication.

Respectfully,

Commissioner.

17-D-65

Muskogee, Indian Territory, December 11, 1906.

John Drew,

Webbers Falls, Indian Territory.

Dear Sir:

~~Receipt is hereby acknowledged~~ of your letter of November 29, 1906, stating that your mother Nancy Wright formerly Cheek, was a Choctaw freedman and asking if application was made for the enrollment of her children Della and Lucy Cheek as Choctaw freedmen.

In reply to your letter you are advised that it does not appear from the records of this office that application was made for the enrollment of Della and Lucy Cheek, children of Nancy Cheek, at the time she made application for enrollment September 6, 1899, and from the information contained in your letter it is impracticable to identify these persons as applicants for enrollment as Choctaw freedmen.

Respectfully,

Commissioner.

FREEDMAN

COMMISSION TO THE FIVE CIVILIZED TRIBES.

South McAlester, I.T., Sept. 6, 1899.

In the matter of the enrollment of Nancy Chalk, said Chalk being sworn by Commissioner Needles and examined by him et als., testified:

I am about 39. I was a slave and belonged to John Brown, a Choctaw. I was in the Choctaw Nation when I was turned free. I have been in the Choctaw Nation ever since and live there now.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes

B. M. McDonald

IN RE
THE DEATH OF

Nancy Cheek or Chalk
a ~~citizen of the~~ freedman
Choctaw Nation.

Approved MAY 31 1906 190

Commissioner.

It appearing from the within affidavits that the applicant died Nancy Cheek, or Chalk died on the 16th day of January, 1900, it is hereby ordered that the application for the enrollment of said Nancy ~~Cheek, or Chalk as~~ a Choctaw Freedman be dismissed.

Commissioner.

Muskogee, Indian Territory.

MAY 31 1906.

May 21, 1906

17-D-65

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Nancy Chuk or Chalk (Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near Webbers Falls (Here insert name of postoffice.), Ind. Ter., and died on the 16 day of Jan, 1900

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Western DISTRICT.

I, Rachel Gunter, on oath state that I am 58 years of age and a citizen, by adoption, of the Cherokee Nation; that my postoffice address is Webbers Falls (Here insert name of postoffice.), Ind. Ter.; that I am (State relationship: as the father; an uncle; a cousin, etc.) of Nancy Chuk or Chalk (Here insert name of deceased.) who was a citizen, by adoption, of the Choctaw Nation and that said Nancy Chuk or Chalk (Here insert name of deceased.) died on the 16 day of Jan, 1900

WITNESSES TO MARK: Rachel Gunter

(Must Be Two Witnesses.)

Subscribed and sworn to before me this 4 day of May 1906.

J. K. Buchanan
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Western DISTRICT.

I, John Drew, on oath state that I am 76 years of age, and a citizen by adoption of the Cherokee Nation; that my postoffice address is Webbers Falls (Here insert name of postoffice.), Ind. Ter.; that I was personally acquainted with Nancy Chuk or Chalk (Here insert name of deceased.) who was a citizen, by adoption, of the Choctaw Nation; and that said Nancy Chuk or Chalk (Here insert name of deceased.) died on the 16 day of Jan, 1900

WITNESSES TO MARK: John Drew

(Must Be Two Witnesses.)

Subscribed and sworn to before me this 4 day of May 1906

J. K. Buchanan
Notary Public.

Choc FR D 66 Anne Brown

Dismissed
Mar 18, 1905

FR D 66

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as a Choctaw Freedman of-

Anne Brown.

17-D-66.

FREEDMAN

COMMISSION TO THE FIVE CIVILIZED TRIBES.

South McAlester, I.T., Sept. 9, 1899.

In the matter of the enrollment of Anne Brown, said Brown being sworn by Commissioner Needles and examined by him et als., testified:

~~I belonged to Mary Blackburn, a Choctaw. I was turned loose in the Choctaw Nation.~~ I belonged to Mary Blackburn then. I have been living first one place and then another.

Q Did you run off before the war? A No sir.

Q Did you runm off during the war? A Yes.

Q Where were you when you were turned free? A I was in the Cherokee Nation.

Q Where did you go? A I went to Kansas.

Q How long did you stay in Kansas? A About two years as near as I remember. I was in Kansas when the war closed. I came back from Kansas in '66. It was in August '66.

Q In August '66 you came to the Territory did you? A Yes.

Q You came to the Cherokee Nation? A Yes. I am living in the Cherokee Nation yet. My husband was a Cherokee. I have lived there since I came back into the Cherokee Nation. Ever since the war I have lived in the Cherokee Nation. I married at the beginning of the war to a Cherokee freedman in the Cherokee Nation. I came back in '66. My mother died in the Cherokee Nation.

(White card.)

Department of the Interior,
Commission to the Five Civilized Tribes

I hereby certify upon my official oath as stenographer to above named Commission that this transcript is a true, full and correct translation of my stenographic notes.

[signature]

17-D-64
-67
-66
-227.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory August 27, 1904.

In the matter of the application for the enrollment of Rachael Rodgers (17-D-64), Jim Brown (17-D-67), Anne Brown (17-D-66) and Alf Wright (17-D-227) as Choctaw freedmen.

Ed Wright being first duly sworn xxxx testifies as follows:

Examination by the Commission:

Q What is your name? A Ed Wright.
Q How old are you Mr. Wright? A About forty-six or forty-seven.
Q What is your post office address? A Vian.
Q That is in the Cherokee Nation? A In the Cherokee Nation.
Q What relation are you to Rachael Rodgers? A Full sister of mine.
Q What relation is Jim Brown to Rachael Rodgers? A Son of Rachael Rodgers.
Q What relation are you to Anne Brown? A Half sister.
Q Sam father? A Yes, sir Same father.
Q What relation are you to Alf Wright? A Full brother.

Witness is identified on Choctaw freedman card #719 and is numbered 3324 on the final roll approved by the Secretary of the Interior September 26, 1903.

Q Who is the father of Rachael Rodgers/ Alf Wright and Anne Brown?
A Edmund Wright.
Q Edmund Wright and Edmund Walker are the same man? A Yes, sir.
Q Who was Edmund Wright the slave of? A John Walker.
Q Who is Elisha Walker? A That is John Walker's son.
Q Did Edmund Wright ever belong to Mr Elisha Walker? A He was xx his, xxxx the old man was his first owner and before he died he lived there with the others.
Q What was your mother's name? A Margaret Wright or Walker.
Q Who is the mother of Rachael Rodgers and Alf Wright? A Margaret
Q Who was Margaret the slave of? A Elisha Walker.
Q And Elisha Walker and John Walker were Choctaw Indians? A Yes, sir, Choctaw Indians.
Q Who is the mother of Anne Brown? A Sarah.
Q Who did Sarah Belong to? A Blackburn.
Q Was Mary Blackburn a Choctaw? A She was a sister of Elisha Walker.
Q And she was a daughter of John Walker? A Yes, sir thatis what I have heard them say.
Q How did she get the name of Blackburn? A She married a man named Blackburn.
Q What was he Cherokee or Choctaw? A Never did hear them say.
Q Where was Rachael Rodgers living at the time of the surrender? A Out on Kiamitia River.
Q She always lived in the Choctaw Nation? A Yes, sir.

Q Never did live out of the Choctaw Nation? A Never did.
Q And she was the slave of a Choctaw Indian at the time of the war and remained a slave until the surrender? A Yes, sir.
Q And up until the treaty of Fort Smith? A Yes, sir.
Q What Choctaw Indian was Rachael Rodgers the slave of? A Cillin Krebs.
Q Who was Cillin Krebs? A She was Cillin Walker before she was married.
Q She was a daughter of John Walker? A Yes, sir.
Q She was a Choctaw? A Yes, sir.
Q Who did she marry? A Man named Edmund Krebs.
Q Whom did Jim Brown belong to? A Ed Krebs.
Q He always lived in the Choctaw Nation? A Yes, sir, until he was turned loose.
Q And he has never been outside of Indian Territory? A No, sir.
Q Has Rachael Rodgers always lived in Indian Territory since she was turned loose? A Yes, sir.
Q Where has Alf Wright lived since he was born? A In the Choctaw Nation and in the Cherokee Nation.
Q Was Alf Wright living with his master Elisha Wright at the time of the surrender? A No, sir, he was living with his wife and children.
Q He was their slave? A Yes, sir.
Q He didn't run away? A No, sir.
Q He lived in the Choctaw Nation until he was turned loose? A Yes, sir.
Q Until the treaty of Fort Smith? A Yes, sir.
Q Where was Anne Brown living at the time of the war? A I don't know.
Q Did she run away? A I guess she did she was gone north.
Q Did she run away from her mistress? A Yes, sir, she run away.
Q And she belonged to Mary Blackburn? A Yes, sir.
Q And before the war was over she run away? A Yes, sir.
Q Anne Brown is a half sister to you? A Yes, sir.
Q Do you know where Anne Brown went when she ran away? A No, sir, she went north, I don't know where she went too.
Q How long before the war closed was it that she ran away? A Something over a year.
Q When was the next time you saw her after that? A Over here in t the Cherokee Nation.
Q How long ago? A Long after the surrender.
Q You are sure that Rachael Rodgers, Jim Brown and E Alf Wright lived with their masters up until the time of the surrender and the treaty of Fort Smith and that they have never lived outside of Indian Territory since then? A Yes, sir.
Q You know that of your own knowledge? A Yes, sir.
Q They all lived in the Choctaw Nation until they went to the Cherokee Nation and they have never been out of the Cherokee Nation since that time? A Yes, sir.
Q Is Anne Brown living now? A No, sir she is dead now.
Q When did she die? A About two years ago I guess.
Q What month? A In June.
Q That would be June 1902? A Yes, sir.
Q Rachael Rodgers, Jim Brown and Alf Wright are all living now? A Yes, sir.
Q And living in the Cherokee Nation? A Yes, sir.

Witness excused.

Chas. T. Difendafer being first duly sworn states that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Chas. T. Difendafer.

Subscribed and sworn to before me this 29th day of August 1904.

Charles H. Sawyer

Notary Public.

17-D-66.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Anne Brown for enrollment as a Choctaw Freedman.

It appears from the record herein that on September 9, 1899 Anne Brown made application to this Commission for enrollment as a Choctaw Freedman. Further proceedings were had in the matter of said application at Muskogee, Indian Territory on August 27, 1904.

It further appearing from the record herein that the applicant died in the month of June 1902, it is hereby ordered that the application for the enrollment of Anne Brown as a Choctaw Freedman be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

MAR 1 8 1905

17-D-6

Muskogee, Indian Territory, March 18, 1905.

Ed Wright,

Vian, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated March 18, 1905, dismissing the application for the enrollment of Anne Brown as a Choctaw Freedman.

Respectfully,

Chairman.

Registered.

Incl. 17-D-66

17-D-66

Muskogee, Indian Territory, March 18, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated March 18, 1905, dismissing the application for the enrollment of Anne Brown as a Choctaw Freedman.

Respectfully,

Chairman.

Incl. 17-D-66

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-66.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, August 18, 1904.

Anne Brown,

Braggs, Indian Territory.

Dear Madam:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 89-, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as a freedman of the Choctaw Nation, or you may appear for this purpose at the general office of the Commission at Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

N. 6

m Brown,

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and record transfered
to Choctaw Freedmen
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to Choctaw Freedmen
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Nora Nourole, et al.

transferred to Choctaw
freedman card No. 1549
May 2, 1906.

choc FR D 71 Alonzo Grissam

FR D 71

CHOCTAW FREEDMEN

FREEDMAN No. 1972

Alonzo Grissom et al

vs

Choctaw Nation

Refer to

D 72 Nettie Mitchell et al

D 73 Barnes Grissom

REFUSED

DECISION RENDERED. MAY - 1 1905

COPY OF [illegible] FORWARDED
ATTORNEY [illegible] CHOCTAW AND
CHICKASAW NATIONS. MAY - [illegible] 1905

NOTICE OF DECISION [illegible]
FORWARDED TO ATTORNEY [illegible] 5
FOR [illegible]

COPY OF DECISION FORWARDED
APPLICANT 5

ACTION APPROVED BY
SECRETARY OF INTERIOR

JUN 1 1 1905

NOTICE OF [illegible] ACTION
FORWARDED [illegible] CHOCTAW
AND CHICKASAW NATIONS. JUN 9 - 1905

NOTICE OF ACTION
FORWARDED [illegible] APPLICANT

JUN 9 - 1905

NOTICE OF ACTION FORWARDED
ACTION [illegible] APPLICANTS

JUN 9 - 1905

1700

WREEDMAN:

Commission to the Five Civilized Tribes,

McAlester, I.T., Nov.16,1899.

In the enrollment of Alonzo Grissam as a Choctaw Freedman; being sworn and examined by Com'r McKennon he stated:

Q What is your name? A Alonzo Grissam.

Q How old are you? A Sixty-four.

Q Where do you live? A In Texas.

Q How long have you been living in Texas? A I left the Territory in 1867.

Q What time in 1867? A Along near Christmas.

Q Where had you been living before that time?

A Down here near Robert Jones' farm.

Q How long? A I came there a good while before the War.

Q Who did you belong to? A Dave Blakely, was a negro trader and he sold me to Robert Jones.

Q When did he sell you to Robert Jones? A I cannot tell exactly what year it was; I cannot read nor write.

Q How long before the War? A It was ten or twelve years.

Q And you belonged to Robert Jones when the War closed?

A Yes sir.

Q When you were set free you belonged to him did you? A Yes sir. When I was set free he told me I was as free as he was.

Examined by Com'r Needles:

Q Were you with Robert Jones when you were set free?

A Yes sir.

Q Didn't you or some of your friends tell me yesterday that you didn't belong to Robert Jones, that Robert Jones had sold you?

A No sir, couldn't have told you that, because I was set free by Robert Jones, and made another full crop after the crop I was working when he turned us loose, and here is my baby girl that was born the year we was turned loose. (Here applicant refers to

Alonzo Grissom #2)

a negro woman who appears to be about thirty or thirty-five years of age,--Stenog.)

Examined by A.Telle:

Q Who did you say sold you to Robert Jones? A Dave Blakeley. He was a negro trader; he bought me and sold me to Robert Jones.

Examined by Choc Com'r Lewis:

Q Do you know how long ago that has been? A I can't tell the years, I can't read.

Q How long was it before the War? A It was a good while before the War.

(Lewis states that Dave Blakely was crazy ever since 1844 or 1845, and died here since the War.)

Examined by Com'r Needles:

Q Where were you during the War, when the War was going on where were you? A Working for Robert Jones.

Examined by A.Telle:

Q Where at? A On the Lake West farm.

Q Do you know old Len Colbert? A Yes sir.

Q Who did he belong to? A Robert Jones, and old man Philip and old man July.

Examined by Com'r McKennon:

Q How old were you when Robert Jones bought you? A I don't know exactly how old I was.

Q Were you a grown man? A Oh yes sir I was a grown man and had a wife.

Q How many children did you have? A I had one child.

Q How old do you think you were? A I don't know sir; I am sixty-four or five years old now.

Q How old do you think you were when Robert Jones bought you? A I reckon I must have been,--it is guess work, but I was a man and had a wife and one child.

Examined by Choc Com'r Lewis:

Alonzo Grissom (23)

Q How long did you stay with Dave Blakely? A He kept me traveling, I didn't stay with him no time hardly; he kept us going until he turned me loose in Robert Jones' hands.

Q You didn't know Dave's wife? A No sir.

Examined by Com'r McKennon:

Q Where did Dave Blakely buy you? A Down near Texarkana, from a man named Witherspoon; he said he was selling me for a debt.

Examined by A.Telle:

Q And you went away the year after you were freed? A They turned me loose when we was making one crop; we continued to make that, and Robert told me he would treat us as well as anybody else, and he had as good land as anybody else; I made that crop and finished it and then made another one, and then I left along about Christmas.

Q Where did you go to from there? A I went over to Texas.

Q And have been there ever since? A No sir.

I went down in Louisiana and then I came back to Texas again.

Q Where abouts in Texas are you living now? A Down near Sulphur Springs, in Hopkins County. I have been moving about a good deal.

Q Have you a wife living? A Yes sir.

Examined by Chou Com'r Lewis:

Q That the one you had when Dave bought you? A Yes sir.

Q Did he buy her? A Yes sir.

Q Sold you all to Jones? A Yes sir.

Q What became of the child that you said you had at that time? A He is living yet, in Texas.

Q Did he sell him to Jones too? A Yes sir, sold me my wife and child to Jones.

Q That one and this one the only two children you have got? A No sir, before we left Jones we carried away four; this one

Alonzo Grissom #4)

was born since the surrender.

Examined by Chec Com'r Lewis:

Q You don't know just how old you were when Jones bought you?

A No sir.

Examined by A.Telle:

Q How old a man was Dave Blakely when he bought you? A I don't know.

Q Was he a grown man? A Oh yes sir, he was a grown man.

Examined by Chec Com'r Lewis:

Q What kind of a looking fellow was he? A He was a tolerable good sized man; had sandy hair to the best of my recollection.

Examined by Com'r McKannon:

Q Have you got any children that are young, under age?

A Yes sir.

Q What's their names? A Will, he is about twenty years old. Sam, about seventeen years old; Martha Jane, she is about fifteen years old; May Ella, she is about twelve years old; and my daughter that died has got two adopted children that I am trying to raise with me.

Q All these children were born and raised in Texas? A Yes sir.

Examined by A.Telle:

Q All that last you gave him were born and raised in Texas and live there now? A Yes sir.

Examined by Com'r Needles:

Q And they live there now? A Yes sir.

Q Did you belong to Robert Jones or to his wife? A Robert Jones bought me.

Charles Walker being sworn and examined states:

Q What is your name? A Charles Walker.

Q How old are you? A Sixty-eight.

Alonzo Grissam - Charles Walker witness- #5)

Q Do you know Alonzo Grissam? A Yes sir.

Q How long have you known him? A I have known him since before the War; a good while before the War.

Q How old was he when you first knew him? A I don't know, but he was a grown man; we used to call him "Big Bill" there on the farm. I know the time he went there the three negro traders was mixxxx in there, one was named Parker and one named Blakely and the other one I have forgotten his name.

Dave Blakely lost his mind, but when he carried him there he had as good mind as anybody.

Q Did he belong to Robert Jones when he was freed?

A I couldn't tell you that. After he bought him I staid there at Lake West and worked one year, and when Robert was going to locate a place he said he wated all the young hands there and I left him on the farm there when I left; that was before the War, and I never saw him any more.

That's all I know about him; I left him on the farm when I went off a good while before the War.

Fred Humphreys being sworn and examined states;

Q What is your name? A Fred Humphreys.

Q How old are you? A Fifty-nine.

Q What do you know about this man Grissam? A All I know is I saw him on the farm there in slave time, a good while before the War; my mistress married John Turnbull; we moved down to Miamitia and I visited the Jones negroes and I got acquainted with him on the Jones Plantation there; I couldn't tell you who bought him, that was on the Lake West Farm.

Q That's all you know about him? A That's all I know, I saw him in Robert Jones' quarters on the farm.

Examined by Chas Com'r Lewis;

Q What name did he go by? A Big Jim they called him there,-

Alonzo Grissam, Fred Humphreys, witness #6)

Big Bill, or something like that.

Alonzo Grissam, re-called, states:

Examined by Com'r McKennon:

Q What time was it you left? A I left alone about Christmas.

Q What's your wife 's name? A Martha, sixty years old.

(Placed on white card, with wife and four children named.)

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify that I am a duly appointed official stenographer to above named Commission, and that this transcript is a true, full and correct translation of my stenographic notes.

M D Green

Department of the Interior,
Commission to the Five Civilized Tribes.
I hereby certify, that, by official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.
M. O'Neen

FREEDMAN:

Commission to the Five Civilized Tribes,

McAlester, I.T., Nov. 15, 1899.

In the enrollment of Kittie Mitchell as a Chocta freedman, being sworn and examined by Com'r McKennon she states:

Q What is your name? A Kittie Mitchell.

Q How old are you? A Thirty-five.

Q Do you know what year you were born? A My father says I was a baby at the surrender, that would make me about thirty-five I reckon.

Q Your father took you off to Texas with him? A Yes sir.

Q Your father is Alonzo Grissom? A Yes sir.

Q Have you lived in Texas all the while? A Yes sir, I married in Texas, and I have been living back and forth wherever my father was.

Q Are you living in Texas now? A No sir I am living in the ~~Chickasaw~~ Chickasaw Nation; I moved there last March.

Examined by A.Telle:

Q What is your post-office address? A Wynnewood.

Examined by Com'r McKennon:

Q Have you got children? A Yes sir.

Q How many? A Four.

Q What's their names? A Eddie Mitchell, ten years old; William A. Mitchell, eight years old; Martha J. Mitchell, six years old; Ethel Mitchell, four years old. That's all.

Q These children were born in Texas were they? A Yes sir.

Q Was your mother a slave? A Yes sir.

Q You were a child you say when you were freed? A Yes sir, that's what my pa says, that I was a baby.

--- --- ---

Alonzo Grissom, re-called, to testify in this case, states:

Examined by Com'r Needles:

Q Was this girl's mother a slave? A Yes sir.

Q [illegible] since? A [illegible] sir.

PROCEEDINGS.

Commission to the Five Civilized Tribes,

McAlester, I.T., Nov. 15, 1899.

In the application of Barnes Grissom for enrollment as a Choctaw freedman; being sworn and examined by Com'r McKennon he states:

What is your name? A Barnes Grissom.

Q How old are you? A Twenty-two.

Q You were born and raised in Texas were you? A Yes sir.

Q Are you the son of Alonzo Grissom? A Yes sir.

Q Was and his wife Martha, and are a full brother to Mrs. Mitchell? A Yes sir.

Q Have ever you lived in the Territory? A No sir.

Q You still live in Texas? A Yes sir.

Q Never did live here at all? A No sir.

Q Have you got any children? A No sir.

Q Just yourself? A Yes sir, I have got a wife.

(Placed on white card.)

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath, as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

W. D. Green

Card No. D. 72.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Atoka, Ind. Ter., June 5, 1900.

In the matter of the application of Kitty Mitchell for enrollment as a Choctaw freedman, said Kitty Mitchell being duly sworn by Acting Chairman Bixby, testified as follows:

By the Commission:

Q What is your name? A Kitty Mitchell.
Q What is your postoffice address? A Wynnewood, I.T.
Q Have you been before this Commission for enrollment before this time? A Yes.
Q When? A At McAlester last fall.
Q Do you claim as a Choctaw freedman? A Yes.
Q Where do you now live? A In the Chickasaw Nation at Wynnewood.
Q Where were you born? A At Lake West.
Q Where is that? A Down on Robert Jone's farm.
Q In Texas? A No sir, in the Choctaw Nation.
Q How old are you? A I am about 36 years old.
Q Have you lived in the Choctaw Nation ever since you were born? A. No sir.
Q When did you leave the Choctaw Nation? A I disremember to tell the truth when I left the Choctaw Nation.
Q Do you remember the fact of living here? A No sir.
Q The first that you remember was when you were living in Texas? A Yes sir.
Q Why did you leave the Choctaw Nation? A I don't know - my father carried me when I was a child.
Q Where did you go from the Choctaw Nation? A I don't know. The first I remember place, but I remember Texas. I come from Texas. I married in Texas.
Q When did you return to the Choctaw Nation? A I am living in the Chickasaw Nation now.
Q When did you come to the Chickasaw Nation? A Going on two years ago now.
Q Was that the first time you were ever in the Indian territory after you were born? A Yes, the first time that I remember of. I have been down on Red River, but lived in Texas all the time up to two years ago.
Q You do not remember the month that you came here? A Yes, I came to the Chickasaw Nation in March, 1899.
Q Were you a slave of a Choctaw Indian? A Yes, I was born a slave.
Q Who was your master? A Robert Jones.
Q Give your father's name? A Lonzo Garrison.
Q Was your father the slave of a Choctaw Indian? A Yes.
Q What was his master's name? A Robert Jones.
Q Is your father now living? A Yes.
Q Give the name of your mother? A Martha Garrison.
Q Is your mother now living? A Yes.
Q Was she a slave of a Choctaw Indian? A Yes.
Q What was her master's name? A Robert Jones.
Q Where is your father now? A In army, sick at Atoka.
Q Do you know where you were in September, 1866? A I don't know.
Q Do you know whether your father was in the Choctaw Nation in September, 1866? A No sir, I don't.
Q Do you know whether he has lived in the Choctaw or Chickasaw Nation [illegible] since you were born and removed to Texas? A Choctaw I remember.
Q Was your father with you in Texas when you first remembered? A Yes
Q [illegible] sick you there? A Yes.

Q Do you know whether your mother was in the Choctaw or Chickasaw nations in September, 1865? A No sir, I don't.
Q Have you ever been enrolled by the tribal authorities of the Choctaw ~~or Chickasaw~~ nation? as a Choctaw freedman? A No sir, I don't know; that is what I came up here about.

The rolls of Choctaw freedmen made by the tribal authorities of the Choctaw nation in '85 and '96 are examined and the name of Kitty Mitchell is not found thereon.

Q Was your father ever enrolled as a Choctaw freedman? A Not that I know of.
Q Was your mother ever enrolled as a Choctaw freedman? A Not as I know of.
Q Are you married? A Yes.
Q What is your husband,s name? A Andrew Jackson Mitchell.
Q Were you ever married before? A No sir.
Q What was your name before you were married? A Kitty Grisson.
Q Your husband is a non-citizen? A Yes sir.
Q Do you apply for the enrollment of anyone besides yourself? A I apply for the enrollment of my children.
Q What are their names? A Eddie 11 years old; William Arthur 9 years old; Martha Jane 8 years old, and Ether J., 4 years old.
Q Are they all living with you? A Yes.
Q Have you got with you a copy of your marriage license or certificate? A No sir, I haven't any copy of it.
Q When were you married? A About '87.
Q Have you any witnesses here who were present at your marriage? A Yes, those two men standing there.
Q Neither of them your husband? A No sir.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
ATOKA, IND. TER., June 6, 1900.

In the matter of the application for enrollment as a Choctaw freedman of KITTY MITCHELL, Irving Grissom being sworn by Acting Chairman Bixby, testified as follows:

By the Commission:

Q What is your name? A Irving Grissom.
Q Are you a brother of Kitty Mitchell? A Yes.
Q How old are you? A About 40 I guess.
Q Where do you live? A Near Wynnewood.
Q Were you present at the marriage of Kitty Grissom? A No, I was not right there.
Q Did you ever see the marriage license or the marriage certificate of your sister? A No sir.
Q Do you know how old Kitty is? A No sir, not exactly.
Q About how old is she? A Pa says she is about 35 or 36.
Q Do you know whether she was born in the Indian Territory in the Choctaw or Chickasaw nations? A No more than what he said.
Q Do you know where Kitty has been living since she was born? A. Yes I know some of the places.
Q In what state? A In Texas.
Q Ever since she was born? A I don't know-- she was backwards and forwards moving around.
Q Do you know when she removed to the Chickasaw Nation? A Yes.
Q When was that? A It was last March a year ago.
Q In March, 1899? A Yes sir.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
ATOKA, IND. TER., June 5, 1900.

In the matter of the application of KITTY MITCHELL for enrollment as a Choctaw freedman, JAMES GRISSOM being sworn by Acting Chairman Bixby, testified:

By the Commission:

Q What is your name? A James Grissom.
Q How old are you? A I don't know exactly-- 20 something.
Q Where do you live? A Close to Wynnewood.
Q What is your father's name? A Lenzo Grissom.
Q You are a brother of Kitty Mitchell? A Yes.
Q Were you present at the marriage of your sister to Andrew Jackson Mitchell? A Yes sir.
Q When were they married? A In '67.
Q Where? A In Lamar county, Texas.
Q Who married them? A I forgot the preacher's name--- I think his name was Henry Richmond.

Brown McDonald, being first duly sworn by Acting Chairman Bixby, states on oath that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony of the witnesses in this case, and that the foregoing is a complete transcript of his notes.

Brown McDonald

Sworn to and subscribed before me this 6th day of June, 1900, at Atoka, Ind. Ter.

Acting Chairman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVIL-
IZED TRIBES.

FILED
Jul 17 1901

Tams Bixby

Acting Chairman.

Indian Territory
Southern Division
at Wynnewood.

On this day appeared before me, the undersigned authority M. G. Gilbett, known to me as a citizen worthy of belief, who being by me duly sworn upon his oath says that he is a Choctaw freedman and his name is enrolled on the Dawes Commission as such, that he is now acquainted with A. L. Grisham, who is an applicant for enrollment upon the records of the Dawes Commission as a Choctaw freedman, for himself and wife and four minor children, that he affiant knows that A. L. Grissam was emancipated as a slave belonging to Robert Jones a Choctaw Indian, that Robert Jones bought A. L. Grissam from a negro trader by the name of Dave Blakely, that A. L. Grissam lived on the Robert Jones farm for more than one year after he was set free, that he A. L. Grissam was nicknamed or called Big Bill, while he was a slave belonging to Robert Jones.

M. G. Gillett

Attest)
)
W. E. Taylor)

Sworn to and subscribed before me this the 18th day of June 1901.

M. D. Casey
Notary Public.

17-D-71.
17-D-72.
17-D-73.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Alonzo Grissam, et al, as Choctaw Freedmen, consolidating the applications of -

Alonzo Grissam, et al,	17-D-71,
Kittie Mitchell, et al,	17-D-72,
Barnes Grissam,	17-D-73.

--: D E C I S I O N:--

It appears from the record herein that on November 15, 1899, at McAlester, Indian Territory, application was made to this Commission for the enrollment of Alonzo Grissam, his wife, Martha Grissam, his children, William Grissam (20 years old), Samuel Grissam (17 years old), Martha Jane Grissam (15 years old), and May Ella Grissam (12 years old), and for the enrollment of Kittie Mitchell (daughter of the said Alonzo Grissam), and her children, Eddie Mitchell (10 years old), William A. Mitchell (8 years old), Martha J. Mitchell (6 years old), and Ethel Mitchell (4 years old), and for the enrollment of Barnes Grissam (son of the said Alonzo Grissam), as Choctaw freedmen. Further proceedings were had in the matter of the application for the enrollment of the said Kittie Mitchell and her children, at Atoka, Indian Territory, June 5, 1900.

It further appears from the record herein that the said Alonzo Grissam and his wife, Martha Grissam, and the said Kittie Mitchell were the slaves of Robert Jones, a recognized Choctaw citizen, during and at the close of the War of the Rebellion; that they resided in the Choctaw Nation for about two years after the close of the war, when they removed to the State of Texas, and that they had not returned to and in good faith settled in the Indian Territory on or prior to June 28, 1898; that the applicants, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam were born in the State of Texas, and had not removed to and in good faith settled in the Indian Territory on or prior to June 28, 1898.

It is, therefore, the opinion of this Commission that Alonzo Grissam, Martha Grissam, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Kittie Mitchell, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam are not entitled to be enrolled as Choctaw freedmen, and that the applications for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898 (30 Stat.,

495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

MAY 6 1905

17-D-71.

Muskogee, Indian Territory, May 6, 1905.

Alonzo Grissam,

Cooper, Texas.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of yourself, your wife, Martha Grissam, and your children, William Grissam, Samuel Grissam, Martha Jane Grissam, and May Ella Grissam, as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Registered.
17-D-71.
Enc. 17-D-72.
17-D-73.

17-D-72

Muskogee, Indian Territory, May 6, 1905.

Kittie Mitchell,

Wynnewood, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of yourself and your children, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell and Ethel Mitchell, as Choctaw freedmen.

The decision, with the record of the prodeedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. D. Madden

Commissioner in Charge.

Registered.
17-D71.
Enc. 17-D-72.
17-D73.

17-D-73.

Muskogee, Indian Territory, May 6, 1905.

Barnes Grissom,

Conner, Texas.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. Needles

Commissioner in Charge.

Registered.
Enc. 17-D-71.
17-D-72.
17-D-73.

17-D-71.
17-D-72.
17-D-73.

Muskogee, Indian Territory, May 6, 1905.

W. E. Taylor,

Attorney at Law,

Wynnewood, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of Alonzo Grissam, Martha Grissam, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Kittie Mitchell, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam as Choctaw freedmen.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Registered.

Commissioner in Charge.

17-D-71.
Enc. 17-D-72.
17-D-73.

17-D-71.
17-D-72.
17-D-73.

Muskogee, Indian Territory, May 6, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of this Commission, rendered May 6, 1905, denying the application for the enrollment of Alonzo Grissam, Martha Grissam, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Kittie Mitchell, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam as Choctaw freedmen.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Enc. 17-D-71.
17-D-72.
17-D-73.

COPY.

Muskogee, Indian Territory, May 6, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the applications of Alonzo Grissam, Martha Grissam, William Grissam, Samuel Grissam, Martha Jane Grissam, Ella Grissam, Kittie Mitchell, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam for enrollment as Choctaw freedmen, including the decision of the Commission, dated May 6, 1905, denying said applications.

Respectfully,

T. B. Needles.

Commissioner in Charge.

17-D-71.
3 Inc. 17-D-72.
17-D-73.

Through the Commissioner
Of Indian Affairs

DEPARTMENT OF THE INTERIOR,

Washington.

W.C.F
FKL.

C.C. 30174-1905-
I.T.D. 5704-1905.

June 14, 1905.

LRS

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

May 6, 1905, you transmitted the record in the consolidated Choctaw freedman case of Alonzo Grissam, Et al, involving the applications of Alonzo Grissam for himself, his wife, Martha Grissam, and his minor children, William, Samuel, Martha Jane and May Ella Grissam; of Kittie Mitchell for herself and her minor children, Eddie, William A., Martha J., and Ethel Mitchell, and of Barnes Grissam for himself, including your decision of the same date, rejecting all the applicants.

Reporting May 17, 1905, the Indian Office recommends that your decision be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation , and your decision is hereby affirmed.

Respectfully,

E. A. Hitchcock.
Secretary.

1 inclosure.

Land.
36183-1905.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, May 17, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commissiin to the Five Civilized Tribes, dated May 6, 1905, transmitting the record of the application for enrollment as Choctaw Freedmen by Alonzo Grissam for himself, his wife, Martha Grissam and his minor children, William, Samuel, Martha Jane, and Mary Ella Grissam; by Kittie Mitchell (daughter of Alonzo Grissam) for herself and her minor children, Eddie, William A., Martha J., and Ethel Mitchell and by Barnes Grissam (son of Alonzo Grissam).

May 6, 1905, the Commission decided adversely to all the applicants.

The record shows that Alonzo Grissam, his wife, Martha Grissam and Kittie Mitchell were the slaves of a recognized Choctaw Citizen during and at the close of the war of the rebellion; that they resided in the Choctaw Nation for about two years after the war when they removed to the State of Texas and that they had not returned to and in good faith settled in the Indian Territory on or before June 28, 1898, and that the other applicants were born in the State of Texas and had not removed to and in good faith

settled in the Indian Territory.on or before June 28, 1898.

In view of the record the approval of the Commission's decision adverse to the applicants is recommended.

Very respectfully,

C. F. Larrabee

M.M.M. (W)

Acting Commissioner.

17-D-71

Muskogee, Indian Territory, June 23, 1905.

Alonzo Grissam,

Cooper, Texas,

COPY.

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of June 14, 1905, affirmed the decision of this Commission, dated May 6, 1905, denying the application for the enrollment of yourself, your wife, Martha Grissam, and of your children, William Grissam, Samuel Grissam, Martha Jane Grissam and May Ella Grissam, as Choctaw freedmen.

Respectfully,

SIGNED Tams Bixby

Chairman.

17-D-72

Muskogee, Indian Territory, June 23, 1905.

COPY.

Kittie Mitchell,

Wynnewood, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of June 14, 1905, affirmed the decision of this Commission, dated May 6, 1905, denying the application for the enrollment of yourself and children, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell and Ethel Mitchell as Choctaw freedmen.

Respectfully,

Tams Bixby

SIGNED

Chairman.

17-D-73

Muskogee, Indian Territory, June 23, 1905.

COPY

Barnes Grissam,

Cooper, Texas,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of June 14, 1905, affirmed the decision of this Commission, dated May 6, 1905, denying the application for your enrollment as a Choctaw freedman.

Respectfully,

Tams Bixby

SIGNED

Chairman.

17-D-71
17-D-72
17-D-73

Muskogee, Indian Territory, June 23, 1905.

COPY.

W. F. Taylor,

Attorney at Law,

Wynnewood, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of June 14, 1905, affirmed the decision of this Commission, dated May 6, 1905, denying the application for enrollment as Choctaw freedmen of Alonzo Grissam, Martha Grissam, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Kittie Mitchell, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam.

Respectfully,

SIGNED Tams Bixby

Chairman.

17-D-71
17-D-72
17-D-73

Muskogee, Indian Territory, June 23, 1905.

COPY

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of June 14, 1905, affirmed the decision of this Commission, dated May 6, 1905, denying the applications for enrollment as Choctaw freedmen of Alonzo Grissam, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Martha Grissam, Kittie Mitchell, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam.

Respectfully,

SIGNED Tams Bixby

Chairman.

Muskogee, Indian Territory, September 24, 1900.

David Williams,

Notary Public,

Wynnewood, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 20th instant in which you desire to be informed what action if any has been taken by the Commission in the matter of the application for enrollment as Choctaw freedmen of Alonzo L. Grissam, Barnes Grissam and Kitty Mitchell.

You are informed that the records of this Commission show that Alonzo L. Grissam on behalf of himself, his wife and his four minor children, Barnes Grissam on his own behalf and Kittie Mitchell on her own behalf and on behalf of her four minor children, appeared before the Commission at McAlester, Indian Territory, November 15th 1899, and there made application for enrollment as Choctaw Freedmen.

The Commission heard their oral testimony given at that time and not being sufficiently satisfied of their rights to enrollment as Choctaw freedmen, their names were placed upon doubtful cards, the residence of the Grissam people at that time being given as Cooper, Texas, and Kittie Mitchell, Wynnewood, Indian Territory.

At Atoka, Indian Territory, on June 5th, 1900, Kittie Mitchell again appeared before the Commission in the matter of the application for enrollment as Choctaw freedmen of herself and her children and there additional testimony was taken in her case.

D. W. Z--

The Commission has not up to this time rendered any decision in these cases nor will it be able to do so until some time in the early part of next year but as soon as possible a decision will be reached and the applicants notified in writing of any action the Commission may take in their cases.

Yours truly,

Acting Chairman.

17-D-71
17-D-72
17-D-73

Muskogee, Indian Territory, April 17, 1901.

Mr. W. E. Taylor,

Wynnewood, Indian Territory,

Dear Sir:-

Receipt is hereby acknowledged of your letter of March 24, 1901, requesting information relative to the status of the case of A. L. Grissam et al, and inquire if anything more is required of him.

You are informed that the records of this Commission show that Alonzo Grissam, on behalf of himself, his wife and his four minor children, Barnes Grissam, on his own behalf, and Kittie Mitchell, on her own behalf and on behalf of her four minor children, appeared before the Commission at McAlester, Indian Territory, November 15, 1899, and there made application for enrollment as Choctaw Freedmen. The Commission heard their oral testimony given at that time and not being sufficiently satisfied as to their rights to enrollment, as Choctaw freedmen, their names were placed upon doubtful cards, the residence of the Grissam people at that time being given as Cooper, Texas, and that of Kittie Mitchell as Wynnewood, Indian Territory.

If these parties desire to offer additional evidence in support of their applications for enrollment as Choctaw freedmen, upon written request to that effect the time for such hearing will be fixed by this Commission.

Yours truly,

17-D-71

Acting Chairman.

Muskogee, Indian Territory, July 24, 1901.

Mr. W. V. Casey,

Wynnewood, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th instant, requesting to be advised whether or not Alonzo L. Grissam has been listed for enrollment as a Choctaw freedman.

You are informed that our records show that on November 15, 1899, Alonzo Grissam made application for the enrollment of himself, his wife, and his four minor children as Choctaw freedmen. The oral testimony of the applicant and that of his witnesses taken at that time not being considered satisfactory, their names were placed on a doubtful card.

On July 17, 1901, W. E. Taylor, attorney at law, offered in evidence the affidavit of M. G. Gillett in support of the application made by Alonzo Grissam, and the same was filed with the other papers in his case.

Yours truly,

17-D 71

Commissioner in Charge.

Muskogee, Indian Territory, September 9, 1901.

Tayler & Warple,

Lawton, Oklahoma Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 3rd instant, in which you state that Mattie Bennett informs you that a certain deposition taken in her behalf seems to have been misplaced, and desiring to know the condition of the claims of Mary Brooks and Mattie Bennett, applicants for enrollment as citizens of the Choctaw Nation. Also that you be advised whether or not any further evidence is required in the claim of Alonzo Grissom, his wife and minor children.

You are informed that the records of this office show that on June 22, 1901, Mary Brooks made application for enrollment as a citizen by blood of the Choctaw Nation,,and on the same day there was filed the affidavit of Cassie Franklin.

On June 22, 1901, Mattie Bennett made application for the enrollment of herself and two children as citizens by blood of the Chickasaw Nation and on the same day there was filed the affidavit of Mary Williams. The Commission is unable to advise you whether or not this affidavit is the one referred to in your letter.

T & M 2

As to whether or not additional evidence is necessary in the matter of the application of Alonzo Grisson for the enrollment of himself and family as Choctaw freedmen , this is a matter which will have to be determined by the applicants.

If Alonzo Grisson desires to offer additional evidence in support of his application, upon written request to that effect the time forsuch hearing will be fixed by the Commission.

Yours truly,

Commissioner in Charge.

17-D-71

9-M-19

7-M-86

17-D-71.
17-D-72.
17-D-73.

Muskogee, Indian Territory, August 18, 1904.

Alonzo Grissam,

Cooper, Texas.

Dear Sir:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of giving testimony relative to the rights of yourself, your wife, your children and your grandchildren as freedmen of the Choctaw Nation; or you may appear before the Commission for this purpose at its general office at Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

DEPARTMENT OF THE INTERIOR,

Washington.

W.C.F
FHE.

C.B. 30174-1906
I.T.D. 5704-1905.

June 14, 1905.

LRS

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

May 6, 1905, you transmitted the record in the consolidated Choctaw freedman case of Alonzo Grissam, et al, involving the applications of Alonzo Grissam for himself, his wife, Martha Grissam, and his minor children, William, Samuel, Martha Jane and May Ella Grissam; of Kittie Mitchell for herself and her minor children, Eddie, William A., Martha J., and Ethel Mitchell, and of Barnes Grissam for himself, including your decision of the same date, rejecting all the applicants.

Reporting May 17, 1905, the Indian Office recommends that your decision be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

E. A. Hitchcock.
Secretary.

1 inclosure.

Land.
36183-1905.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, May 17, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commissiin to the Five Civilized Tribes, dated May 6, 1905, transmitting the record of the application for enrollment as Choctaw Freedmen by Alonzo Grissam for himself, his wife, Martha Grissam and his minor children, William, Samuel, Martha Jane, and Mary Ella Grissam; by Kittie Mitchell (daughter of Alonzo Grissam) for herself and her minor children, Eddie, William A., Martha J., and Ethel Mitchell and by Barnes Grissam (son of Alonzo Grissam).

May 6, 1905, the Commission decided adversely to all the applicants.

The record shows that Alonzo Grissam, his wife, Martha Grissam and Kittie Mitchell were the slaves of a recognized Choctaw Citizen during and at the close of the war of the rebellion; that they resided in the Choctaw Nation for about two years after the war when they removed to the State of Texas and that they had not returned to and in good faith settled in the Indian Territory on or before June 28, 1898, and that the other applicants were born in the State of Texas and had not removed to and in good faith

settled in the Indian Territory. on or before June 28, 1898.

In view of the record the approval of the Commission's decision adverse to the applicants is recommended.

Very respectfully,

C. F. Larrabee

M.M.M. (W)

Acting Commissioner.

Freedmen WC

MEMORANDA.

(Date) Nov 15 1899.

64 Name Chicago Grierson

Choctaw? yes County Year No.

Chickasaw? County Year Page

Citizen by blood? Freedman Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

66 Wife's name, Martha Grierson

Choctaw? yes County Year No.

Chickasaw? County Year Page

Citizen by blood? Freedman Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

30 Millard Grierson	County	Year	Page	No.
17 Arizona	County	Year	Page	No.
15 Martha J	County	Year	Page	No.
12 Mary E	County	Year	Page	No.
	County	Year	Page	No.
	County	Year	Page	No.
	County	Year	Page	No.
	County	Year	Page	No.
	County	Year	Page	No.
	County	Year	Page	No.

[illegible]

Contest of Pinella D-71-

40 CR.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-71.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 6, 1905.

Alonzo Grissam,

Cooper, Texas.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of yourself, your wife, Martha Grissam, and your children, William Grissam, Samuel Grissam, Martha Jane Grissam, and May Ella Grissam, as Choctaw freedmen.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Registered.
17-D-71.
Enc. 17-D-72.
17-D-73.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

17-2-71

Received in bad order, no endorsement by judge. Opinion

713

Alonzo Grissam

Texas.

Henryetta I.T.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

COOPER
MAY 19 1905
TEXAS

OCT 27 1900

REGISTRY DIVISION
MAY 9 1905
MUSKOGEE I.T.

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

Post Office Department.
POST OFFICE, HENRYETTA, IND. T.
OFFICIAL BUSINESS.

HENRYETTA
OCT 23
5 P.M.
1905

A penalty of $300 is fixed by law for using this envelope to avoid payment of postage on private matter.

Cooper Texas
May 15
1905

Registry Division
May 9 1905
Muskogee I.T.

12713

(3-A)

Commission For Civilized Tribes
Muskogee I.T.
10/23-05
15

UNCLAIMED

Alonzo Grissam

~~Cooper Tex~~

Henryetta I.T.

Return to Sender
Have examined on
delivery

Choc FR D 72 Kittie Mitchell

FR D 72

CHOCTAW FREEDMEN. D.

Kittie Mitchell, et al.

Refer to 17-D 71

REFUSED

DECISION RENDERED. MAY - 6 1905

NOTICE OF DECISION FORWARDED ATTORNEY FOR APPLICANTS. MAY 1905

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. 1905

COPY OF DECISION FORWARDED APPLICANT. 1905

ACTION APPROVED BY SECRETARY OF INTERIOR JUN 1 1905

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. JUN 23 1905

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEY OR APPLICANT.

NOTICE OF SECRETARIAL ACTION MAILED APPLICANT.

JUL

Muskogee, Indian Territory, September 24, 1900.

David Williams,

Notary Public,

Wynnewood, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 20th instant in which you desire to be informed what action if any has been taken by the Commission in the matter of the application for enrollment as Choctaw freedmen of Alonzo L. Grissam, Barnes Grissam and Kitty Mitchell.

You are informed that the records of this Commission show that Alonzo L. Grissam on behalf of himself, his wife and his four minor children, Barnes Grissam on his own behalf and Kittie Mitchell on her own behalf and on behalf of her four minor children, appeared before the Commission at McAlester, Indian Territory, November 15th 1899, and there made application for enrollment as Choctaw Freedmen.

The Commission heard their oral testimony given at that time and not being sufficiently satisfied of their rights to enrollment as Choctaw freedmen, their names were placed upon doubtful cards, the residence of the Grissam people at that time being given asCooper, Texas, and Kittie Mitchell, Wynnewood, Indian Territory.

At Ateka, Indian Territory, on June 5th, 1900, JKittie Mitchell again appeared before the Commission in the matter of the application for enrollment as Choctaw freedmen of herself and her children and there additional testimony was taken in her case.

D. W. 2--

The Commission has not up to this time rendered any decision in these cases nor will it be able to do so until some time in the early part of next year but as soon as possible a decision will be reached and the applicants notified in writing of any action the Commission may take in their cases.

Yours truly,

Acting Chairman.

17-D-71
17-D-72
17-D-73

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-72.

Muskogee, Indian Territory, August 18, 1904.

Kittie Mitchell,

Wynnewood, Indian Territory.

Dear Madam:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to the rights of yourself and your children as Choctaw freedmen.

Respectfully,

Commissioner in Charge.

17-D-71.
17-D-72.
17-D-73.

Muskogee, Indian Territory, August 18, 1904.

Alonzo Crissam,

Cooper, Texas.

Dear Sir:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of giving testimony relative to the rights of yourself, your wife, your children and your grandchildren as freedmen of the Choctaw Nation; or you may appear before the Commission for this purpose at its general office at Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

Freedman
— N C —

MEMORANDA.

(Date) Nov 15 1899.

Name

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

35 Wife's name, Kitie Mitchell

Choctaw? yes County Year No.

Chickasaw? County Year Page

Citizen by blood? Freedman Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

10 Eddie Mitchell County Year Page No.

8 William " County Year Page No.

6 Martha J. " County Year Page No.

4 Estel " County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

as to residence [illegible] of #1

Quantum Freedman 4/12.

Department of the Interior,
Commission to the Five Civilized Tribes.
I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.
W. M. O'Brien

FREEDMAN:

Commission to the Five Civilized Tribes,

McAlester, I.T., Nov. 13, 1899.

In the enrollment of Kittie Mitchell as a Choctaw freedman; being sworn and examined by Com'r McKennon she states:

Q What is your name? A Kittie Mitchell.

Q How old are you? A Thirty-five.

Q Do you know what year you were born? A My father says I was a baby at the surrender, that would make me about thirty-five I reckon.

Q Your father took you off to Texas with him? A Yes sir.

Q Your father is Alonzo Grissom? A Yes sir.

Q Have you lived in Texas all the while? A Yes sir, I married in Texas, and I have been living back and forth wherever my father was.

Q Are you living in Texas now? A No sir I am living in the ~~Chickasaw~~ Chickasaw Nation; I moved there last March.

Examined by A. Tolle:

Q What is your post-office address? A Wynnewood.

Examined by Com'r McKennon:

Q Have you got children? A Yes sir.

Q How many? A Four.

Q What's their names? A Eddie Mitchell, ten years old; William A. Mitchell, eight years old; Martha J. Mitchell, six years old; Ethel Mitchell, four years old. That's all.

Q These children were born in Texas were they? A Yes sir.

Q Was your mother a slave? A Yes sir.

Q You were a child you say when you were freed? A Yes sir, that's what my pa says, that I was a baby.

--- --- ---

Alonzo Grissom, re-called, to testify in this case, states:

Examined by Com'r McKennon:

Q Was this girl's mother a slave? A Yes sir.

Q And was your wife at that time? A Yes sir.

Card No. D. 72.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Atoka, Ind. Ter., June 5, 1900.

In the matter of the application of Kitty Mitchell for enrollment as a Choctaw freedman, said Kitty Mitchell being duly sworn by Acting Chairman Bixby, testified as follows:

By the Commission:

Q What is your name? A Kitty Mitchell.
Q What is your postoffice address? A Wynnewood, I.T.
Q Have you been before this Commission for enrollment before this time? A Yes.
Q When? A At McAlester last fall.
Q Do you claim as a Choctaw freedman? A Yes.
Q Where do you now live? A In the Chickasaw Nation at Wynnewood.
Q Where were you born? A At Lake West.
Q Where is that ? A Down on Robert Jone's farm.
Q In Texas? A No sir, in the Choctaw Nation.
Q How old are you? A I am about 36 years old.
Q Have you lived in the Choctaw Nation ever since you were born? A. No sir.
Q When did you leave the Choctaw Nation? A I disremember to tell the truth when I left the Choctaw Nation.
Q Do you remember the fact of living here? A No sir.
Q The first that you remember was when you were living in Texas? A Yes sir.
Q Why did you leave the Choctaw Nation? A I don't know-- my father carried me when I was a child.
Q Where did you go from the Choctaw Nation? A I don't know. The first place, but I remember Texas. I come from Texas. I married in Texas.
Q When did you return to the Choctaw Nation? A I am living in the Chickasaw Nation now.
Q When did you come to the Chickasaw Nation? A Going on two years ago now.
Q Was that the first time you were ever in the Indian territory after you were born? A Yes, the first time that I remember of. I have been down on Red River, but lived in Texas all the time up to two years ago.
Q You do not remember the month that you came here? A Yes, I came to the Chickasaw Nation in March, 1899.
Q Were you a slave of a Choctaw Indian? A Yes, I was born a slave.
Q Who was your master? A Robert Jones.
Q Give your father's name? A Lonzo Garrison.
Q Was your father the slave of a Choctaw Indian? A Yes.
Q What was his master's name? A Robert Jones.
Q Is your father now living? A Yes.
Q Give the name of your mother? A Martha Garrison.
Q Is your mother now living? A Yes.
Q Was she a slave of a Choctaw Indian ? A Yes.
Q What was her master's name? A Robert Jones.
Q Where is your father now? A In camp sick at Atoka.
Q Do you know where you were in September, 1865? A I don't know.
Q Do you know whether your father was in the Choctaw Nation in September, 1865? A No sir, I don't.
Q Do you know whether he has lived in the Choctaw or Chickasaw nations at any time since you were born and removed to Texas? A. Not as I remember.
Q Was your father with you in Texas when you first remembered? A Yes
Q And always lived with you there? A Yes.

Q Do you know whether your mother was in the Choctaw or Chickasaw nations in September, 1865? A No sir, I don't.
Q Have you ever been enrolled by the tribal authorities of the Choctaw ~~or Chickasaw~~ nation as a Choctaw freedman? A No sir, I don't know; that is what I came up here about.

The rolls of Choctaw freedmen made by the tribal authorities of the Choctaw nation in '85 and '96 are examined and the name of Kitty Mitchell is not found thereon.

Q Was your father ever enrolled as a Choctaw freedman? A Not that I know of.
Q Was your mother ever enrolled as a Choctaw freedman? A Not as I know of.
Q Are you married? A Yes.
Q What is your husband,s name? A Andrew Jackson Mitchell.
Q Were you ever married before? A No sir.
Q What was your name before you were married? A Kitty Grissom.
Q Your husband is a non-citizen? A Yes sir.
Q Do you apply for the enrollment of anyone besides yourself? A I apply for the enrollment of my children.
Q What are their names? A Eddie 11 years old; William Arthur 9 years old; Martha Jane 8 years old, and Ether J., 4 years old.
Q Are they all living with you? A Yes.
Q Have you got with you a copy of your marriage license or certificate? A No sir, I haven't any copy of it.
Q When were you married? A About '87.
Q Have you any witnesses here who were present at your marriage? A Yes, those two men standing there.
Q Neither of them your husband? A No sir.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
ATOKA, IND. TER., June 5, 1900.

In the matter of the application of KITTY MITCHELL for enrollment as a Choctaw freedman, JAMES GRISSOM being sworn by Acting Chairman Bixby, testified:

By the Commission:

Q What is your name? A James Grissom.
Q How old are you? A I don't know exactly-- 20 something.
Q Where do you live? A Close to Wynnewood.
Q What is your father's name? A Lonzo Grissom.
Q You are a brother of Kitty Mitchell? A Yes.
Q Were you present at the marriage of your sister to Andrew Jackson Mitchell? A Yes sir.
Q When were they married? A In '87.
Q Where? A In Lamar county, Texas.
Q Who married them? A I forgot the preacher's name-- I think his name was Henry Richmond.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
ATOKA, IND. TER., June 5, 1900.

In the matter of the application for enrollment as a Choctaw freedman of KITTY MITCHELL, Irving Grissom being sworn by Acting Chairman Bixby, testified as follows:

By the Commission:

Q What is your name? A Irving Grissom.
Q Are you a brother of Kitty Mitchell? A Yes.
Q How old are you? A About 40 I guess.
Q Where do you live? A About Wynnewood.
Q Were you present at the marriage of Kitty Grissom? A No, I was not right there.
Q Did you ever see the marriage license or the marriage certificate of your sister? A No sir.
Q Do you know how old Kitty is? A No sir, not exactly.
Q About how old is she? A Pa says she is about 35 or 36.
Q Do you know whether she was born in the Indian Territory in the Choctaw or Chickasaw nations? A No more than what he said.
Q Do you know where Kitty has been living since she was born? A. Yes I know some of the places.
Q In what state? A In Texas.
Q Ever since she was born? A I don't know-- she was backwards and forwards moving around.
Q Do you know when she removed to the Chickasaw Nation? A Yes.
Q When was that? A It was last March a year ago.
Q In March, 1899? A Yes sir.

ld, being first duly sworn by Acting Chairman
that as Stenographer to the Commission to the
he reported in full the testimony of the
, and that the foregoing is a complete trans-

Brown McDonald

cribed before me this 6th day of June, 1900,

Acting Chairman.

17-D-71.
17-D-72.
17-D-73.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Alonzo Grissam, et al, as Choctaw Freedmen, consolidating the applications of -

Alonzo Grissam, et al,	17-D-71,
Kittie Mitchell, et al,	17-D-72,
Barnes Grissam,	17-D-73.

--: D E C I S I O N:--

It appears from the record herein that on November 15, 1899, at McAlester, Indian Territory, application was made to this Commission for the enrollment of Alonzo Grissam, his wife, Martha Grissam, his children, William Grissam (20 years old), Samuel Grissam (17 years old), Martha Jane Grissam (15 years old), and May Ella Grissam (12 years old), and for the enrollment of Kittie Mitchell (daughter of the said Alonzo Grissam), and her children, Eddie Mitchell (10 years old), William A. Mitchell (8 years old), Martha J. Mitchell (6 years old), and Ethel Mitchell (4 years old), and for the enrollment of Barnes Grissam (son of the said Alonzo Grissam), as Choctaw freedmen. Further proceedings were had in the matter of the application for the enrollment of the said Kittie Mitchell and her children, at Atoka, Indian Territory, June 5, 1900.

It further appears from the record herein that the said Alonzo Grissam and his wife, Martha Grissam, and the said Kittie Mitchell were the slaves of Robert Jones, a recognized Choctaw citizen, during and at the close of the War of the Rebellion; that they resided in the Choctaw Nation for about two years after the close of the war, when they removed to the State of Texas, and that they had not returned to and in good faith settled in the Indian Territory on or prior to June 28, 1898; that the applicants, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam were born in the State of Texas, and had not removed to and in good faith settled in the Indian Territory on or prior to June 28, 1898.

It is, therefore, the opinion of this Commission that Alonzo Grissam, Martha Grissam, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Kittie Mitchell, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam are not entitled to be enrolled as Choctaw freedmen, and that the applications for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898 (30 Stat.,

1903), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Tams Bixby
Chairman.

T. B. Needles.
Commissioner.

C. R. Breckinridge.
Commissioner.

Muskogee, Indian Territory,

MAY - 6 1905

1

COPY.
17-D-72

Muskogee, Indian Territory, May 6, 1905.

Kittie Mitchell,

Wynnewood, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of yourself and your children, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell and Ethel Mitchell, as Choctaw freedmen.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. Needles,

Commissioner in Charge.

Registered.
17-D71.
Enc. 17-D-72.
17-D73.

COPY.

17-D-71.
17-D-72.
17-D-73.

Muskogee, Indian Territory, May 6, 1905.

W. H. Taylor,

Attorney at Law,

Wynnewood, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of Alonzo Grissam, Martha Grissam, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Kittie Mitchell, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam as Choctaw freedmen.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Registered.

17-D-71.
Enc. 17-D-72.
17-D-73.

17-D-71.
17-D-72.
17-D-73.

Muskogee, Indian Territory, May 6, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of this Commission, rendered May 6, 1905, denying the application for the enrollment of Alonzo Grissam, Martha Grissam, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Kittie Mitchell, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam as Choctaw freedmen.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

17-D-71.
Enc. 17-D-72.
17-D-73.

COPY.

Muskogee, Indian Territory, May 6, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the applications of Alonzo Grissam, Martha Grissam, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Mittie Mitchell, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam for enrollment as Choctaw freedmen, including the decision of the Commission, dated May 6, 1905, denying said applications.

Respectfully,

SIGNED

T. B. Needles.

Commissioner in Charge.

17-D-71.
3 Enc. 17-D-72.
17-D-73.

Through the Commissioner
Of Indian Affairs.

DEPARTMENT OF THE INTERIOR, W.C.F
FHE.

N.C. 30174-1905

Washington.

I.T.D. 5704-1905. June 14, 1905.

LRS

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

May 6, 1905, you transmitted the record in the consolidated Choctaw freedman case of Alonzo Grissam, Et al, involving the applications of Alonzo Grissam for himself, his wife, Martha Grissam, and his minor children, William, Samuel, Martha Jane and May Ella Grissam; of Kittie Mitchell for herself and her minor children, Eddie, William A., Martha J., and Ethel Mitchell, and of Barnes Grissam for himself, including your decision of the same date, rejecting all the applicants.

Reporting May 17, 1905, the Indian Office recommends that your decision be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

E. A. Hitchcock.
Secretary.

1 inclosure.

Land.
36183-1905.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, May 17, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated May 6, 1905, transmitting the record of the application for enrollment as Choctaw Freedmen by Alonzo Grissam for himself, his wife, Martha Grissam and his minor children, William, Samuel, Martha Jane, and Mary Ella Grissam; by Kittie Mitchell (daughter of Alonzo Grissam) for herself and her minor children, Eddie, William A., Martha J., and Ethel Mitchell and by Barnes Grissam (son of Alonzo Grissam).

May 6, 1905, the Commission decided adversely to all the applicants.

The record shows that Alonzo Grissam, his wife, Martha Grissam and Kittie Mitchell were the slaves of a recognized Choctaw Citizen during and at the close of the war of the rebellion; that they resided in the Choctaw Nation for about two years after the war when they removed to the State of Texas and that they had not returned to and in good faith settled in the Indian Territory on or before June 28, 1898, and that the other applicants were born in the State of Texas and had not removed to and in good faith

settled in the Indian Territory. on or before June 28, 1898.

In view of the record the approval of the Commission's decision adverse to the applicants is recommended.

Very respectfully,

C. F. Larrabee

M.M.M. (W)

Acting Commissioner.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

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REGISTERED
MAIL
1905

Kittie Mitchell,

Wynnewood, Indian Territory.

11 CR

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-72

Muskogee, Indian Territory, May 6, 1905.

Kittie Mitchell,

Wynnewood, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of yourself and your children, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell and Ethel Mitchell, as Choctaw freedmen.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Registered.
17-D71.
Enc. 17-D-72.
17-D73.

Choc FR D 73 Barnes Grissam

FR D 73

CHOCTAW FREEDMEN. D. 73

Barnes Grissam.

Refer to 17-II 71

REFUSED

DECISION RENDERED. MAY - 1905

NOTICE OF DECISION FORWARDED ATTORNEY FOR APPLICANTS. MAY - 1905

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. 5

COPY OF DECISION FORWARDED APPLICANT 5

ACTION APPROVED BY SECRETARY OF INTERIOR.

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. 1905

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEY FOR APPLICANT.

NOTICE [illegible] 1905

Muskogee, Indian Territory, September 24, 1900.

David Williams,

Notary Public,

Wynnewood, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 20th instant in which you desire to be informed what action if any has been taken by the Commission in the matter of the application for enrollment as Choctaw freedmen of Alonzo L. Grissam, Barnes Grissam and Kitty Mitchell.

You are informed that the records of this Commission show that Alonzo L. Grissam on behalf of himself, his wife and his four minor children, Barnes Grissam on his own behalf and Kittie Mitchell on her own behalf and on behalf of her four minor children, appeared before the Commission at McAlester, Indian Territory, November 15th 1899, and there made application for enrollment as Choctaw Freedmen.

The Commission heard their oral testimony given at that time and not being sufficiently satisfied of their rights to enrollment as Choctaw freedmen, their names were placed upon doubtful cards, the residence of the Grissam people at that time being given as Cooper, Texas, and Kittie Mitchell, Wynnewood, Indian Territory.

At Ateka, Indian Territory, on June 5th, 1900, JKittie Mitchell again appeared before the Commission in the matter of the application for enrollment as Choctaw freedmen of herself and her children and there additional testimony was taken in her case.

D. W. S--

The Commission has not up to this time rendered any decision in these cases nor will it be able to do so until some time in the early part of next year but as soon as possible a decision will be reached and the applicants notified in writing of any action the Commission may take in their cases.

Yours truly,

Acting Chairman.

17-D-71
17-D-72
17-D-73

17-D-71.
17-D-72.
17-D-73.

Muskogee, Indian Territory, August 18, 1904.

Alonzo Grissom,

Cooper, Texas.

Dear Sir:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of giving testimony relative to the rights of yourself, your wife, your children and your grandchildren as freedmen of the Choctaw Nation; or you may appear before the Commission for this purpose at its general office at Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

Freedman
NC

MEMORANDA.

(Date) Nov 15 1899.

32 Name Barnie Freeman

Choctaw? yes County Year No.

Chickasaw? County Year Page

Citizen by blood? Freedman Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

~~Citizen by blood?~~ ~~Mother's citizenship~~

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

[illegible] see testimony

Choctaw Freedmen D-73.

FREEDMAN.

Commission to the Five Civilized Tribes,

McAlester, I.T., Nov. 15, 1899.

In the application of Berne Grissam for enrollment as a Choctaw freedman, being sworn and examined by Comr McKennon he states:

Q What is your name? A Berne Grissam.

Q How old are you? A Twenty-two.

Q You were born and raised in Texas were you? A Yes sir.

Q Are you the son of Alonzo Grissam? A Yes sir.

Q And his wife Martha, and are a full brother to Mrs. Mitchell? A Yes sir.

Q Have ever you lived in the Territory? A No sir.

Q You still live in Texas? A Yes sir.

Q Never did live here at all? A No sir.

Q Have you got any children? A No sir.

Q Just yourself? A Yes sir, I have got a wife.

(Placed on white card.)

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named commission, that this transcript is a true, full and correct translation of my stenographic notes.

W. D. Lyman

17-D-71.
17-D-72.
17-D-73.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Alonzo Grissam, et al, as Choctaw Freedmen, consolidating the applications of -

Alonzo Grissam, et al,	17-D-71,
Kittie Mitchell, et al,	17-D-72,
Barnes Grissam,	17-D-73.

--: D E C I S I O N:--

It appears from the record herein that on November 15, 1899, at McAlester, Indian Territory, application was made to this Commission for the enrollment of Alonzo Grissam, his wife, Martha Grissam, his children, William Grissam (20 years old), Samuel Grissam (17 years old), Martha Jane Grissam (15 years old), and May Ella Grissam (12 years old), and for the enrollment of Kittie Mitchell (daughter of the said Alonzo Grissam), and her children, Eddie Mitchell (10 years old), William A. Mitchell (8 years old), Martha J. Mitchell (6 years old), and Ethel Mitchell (4 years old), and for the enrollment of Barnes Grissam (son of the said Alonzo Grissam), as Choctaw freedmen. Further proceedings were had in the matter of the application for the enrollment of the said Kittie Mitchell and her children, at Atoka, Indian Territory, June 5, 1900.

It further appears from the record herein that the said Alonzo Grissam and his wife, Martha Grissam, and the said Kittie Mitchell were the slaves of Robert Jones, a recognized Choctaw citizen, during and at the close of the War of the Rebellion; that they resided in the Choctaw Nation for about two years after the close of the war, when they removed to the State of Texas, and that they had not returned to and in good faith settled in the Indian Territory on or prior to June 28, 1898; that the applicants, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam were born in the State of Texas, and had not removed to and in good faith settled in the Indian Territory on or prior to June 28, 1898.

It is, therefore, the opinion of this Commission that Alonzo Grissam, Martha Grissam, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Kittie Mitchell, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam are not entitled to be enrolled as Choctaw freedmen, and that the applications for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898 (30 Stat.,

495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

SIGNED Tams Bixby
Chairman.

SIGNED T. B. Needles.
Commissioner.

COPY.

SIGNED C. R. Breckinridge.
Commissioner.

Muskogee, Indian Territory,

MAY - 6 1905

17-D-73.

COPY.

Muskogee, Indian Territory, May 6, 1905.

Barnes Grissam,

Cooper, Texas.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 5, 1905, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles.

Commissioner in Charge.

Registered.
Enc. 17-D-71.
17-D-72.
17-D-73.

COPY

17-D-71.
17-D-72.
17-D-73.

Muskogee, Indian Territory, May 6, 1905.

W. E. Taylor,

Attorney at Law,

Wynnewood, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of Alonzo Grissam, Martha Grissam, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Kittie Mitchell, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam as Choctaw freedmen.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles

Commissioner in Charge.

Registered.

17-D-71.
Enc. 17-D-72.
17-D-73.

17-D-71.
17-D-72.
17-D-73.

Muskogee, Indian Territory, May 6, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of this Commission, rendered May 6, 1905, denying the application for the enrollment of Alonzo Grissam, Martha Grissam, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Kittie Mitchell, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam as Choctaw freedmen.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles.

Commissioner in Charge.

17-D-71.
Enc. 17-D-72.
17-D-73.

COPY.

Muskogee, Indian Territory, May 6, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the applications of Alonzo Grissam, Martha Grissam, William Grissam, Samuel Grissam, Martha Jane Grissam, May Ella Grissam, Kittie Mitchell, Eddie Mitchell, William A. Mitchell, Martha J. Mitchell, Ethel Mitchell and Barnes Grissam for enrollment as Choctaw freedmen, including the decision of the Commission, dated May 6, 1905, denying said applications.

Respectfully,

SIGNED T. B. Needles.

Commissioner in Charge.

17-D-71.
3 Enc. 17-D-72.
17-D-73.

Through the Commissioner
Of Indian Affairs.

DEPARTMENT OF THE INTERIOR,

Washington.

W.C.F
FHE.

AC 30144-1906
I.T.D. 5704-1905.

June 14, 1905.

LHS

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

May 6, 1905, you transmitted the record in the consolidated Choctaw freedman case of Alonzo Grissam, Et al, involving the applications of Alonzo Grissam for himself, his wife, Martha Grissam, and his minor children, William, Samuel, Martha Jane and May Ella Grissam; of Kittie Mitchell for herself and her minor children, Eddie, William A., Martha J., and Ethel Mitchell, and of Barnes Grissam for himself, including your decision of the same date, rejecting all the applicants.

Reporting May 17, 1905, the Indian Office recommends that your decision be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation , and your decision is hereby affirmed.

Respectfully,

E. A. Hitchcock.
Secretary.

1 inclosure.

Land.
36183-1905.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, May 17, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commissiin to the Five Civilized Tribes, dated May 6, 1905, transmitting the record of the application for enrollment as Choctaw Freedmen by Alonzo Grissam for himself, his wife, Martha Grissam and his minor children, William, Samuel, Martha Jane, and Mary Ella Grissam; by Kittie Mitchell (daughter of Alonzo Grissam) for herself and her minor children, Eddie, William A., Martha J., and Ethel Mitchell and by Barnes Grissam (son of Alonzo Grissam).

May 6, 1905, the Commission decided adversely to all the applicants.

The record shows that Alonzo Grissam, his wife, Martha Grissam and Kittie Mitchell were the slaves of a recognized Choctaw citizen during and at the close of the war of the rebellion; that they resided in the Choctaw Nation for about two years after the war when they removed to the State of Texas and that they had not returned to and in good faith settled in the Indian Territory on or before June 28, 1898, and that the other applicants were born in the State of Texas and had not removed to and in good faith

settled in the Indian Territory. on or before June 28, 1898.

In view of the record the approval of the Commission's decision adverse to the applicants is recommended.

Very respectfully,

C. F. Larrabee

Acting Commissioner.

M.M.M. (W)

Choc FR D 74 Henry Alexander

(Dead)

FR D 74

IN RE

Application for Enrollment of

INFANT CHILD.

Henry Alexander

As a citizen of the

Wind River Band Nation.

Approved DEC 13 1899 ..... 1 .....

A S Mickey

Commissioner.

722

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Chickasaw Nation, of Henry Alexander, born on the 23 day of Mar, 1899.

Name of father: John Alexander, a citizen of the Chickasaw Nation.

Name of mother: Eliza Alexander, a citizen of the Chickasaw Nation.

Post Office: Berwyn Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Eliza Alexander, on oath, state that I am 34 years of age and a citizen, by Freedman, of the Chickasaw Nation; that I am the lawful wife of John Alexander who is a citizen, by Freedman, of the Chickasaw Nation; that a Boy child was born to me on the 23 day of Mar, 1899; that said child has been named Henry Alexander, and is now living.

A. P. Taylor (witness)

Eliza her x mark Alexander

Subscribed and sworn to before me this 29 day of Mar, 1899.

J. P. Taylor
Notary Public.

Berwyn I.T.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Susan Phillips, a Midwife, on oath, state that I attended on Mrs. Eliza Alexander, wife of John Alexander on the 23 day of Mar, 1899; that there was born to her on said date a Boy child; that said child is now living and is said to have been named Henry Alexander

A P Taylor (witness)

Susan her x mark Phillips

Subscribed and sworn to before me this 29 day of Mar, 1899.

J. P. Taylor
Notary Public.

CHOCTAW FREEDMEN

17274. 32

IN RE
THE DEATH OF

Henry Alexander

a ~~citizen of the~~

Choctaw freedman ~~Nation~~.

Approved NOV 3 1902 190

Tams Bixby
Commissioner

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 3 1902
ACTING CHAIRMAN

CHOCTAW FREEDMEN

274

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Henry Alexander
(Here insert name of deceased.)

a ~~citizen of~~ the Choctaw freedman ~~Nation~~, who formerly resided at or near Berwin
(Here insert name of postoffice.)
, Ind. Ter., and died on the — day of January, 1900.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, John Alexander, on oath state that I am 41 years of age and a ~~citizen, by~~ freedman, of the Chickasaw Nation; that my post office address is Berwin
(Here insert name of post office.)
, Ind. Ter.; that I am the father of Henry Alexander,
(State relationship as: the father; an uncle; a cousin, etc.) (Here insert name of deceased.)
who was a ~~citizen, by~~ freedman, of the Choctaw Nation; and that said Henry Alexander died on the — day of January, 1900.
(Here insert name of deceased.)

John Alexander

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 29 *day of* October 1902.

C S Hamm
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Charles Cohee, on oath state that I am 54 years of age, and a ~~citizen, by~~ freedman, of the Chickasaw Nation; that my post office address is Berwin
(Here insert name of post office.)
Ind. Ter.; that I was personally acquainted with Henry Alexander
(Here insert name of deceased.)
who was a ~~citizen, by~~ freedman, of the Choctaw Nation; and that said Henry Alexander died on the — day of January, 1900.
(Here insert name of deceased.)

Charles Cohee

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 29 *day of* October 1902.

C S Hamm
Notary Public.

CHOCTAW FREEDMAN D. 75

Sam Harris.

Records transferred to Choctaw Freed card # 942.

CHOCTAW FREEDMAN

D. 76.

Ether James.

Record transferred to

Choc. Freed. card * 126.

CHOCTAW FREEDMAN D-77

Nancy Fulsom
et al

Granted
Feb. 21. 1907

Nos 1 to 4 inclusive
transferred to Choctaw
Freedman card #491

Choc FR D 78 Vicey Clayton

Dismissed Feb 20, 1907

FD D 78

D. 7

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
ATOKA, IND., TER., JUNE 5, 1900.

In the matter of the application for the enrollment of Vicey Clayton as a Choctaw freedman, Nancy Fulsom being sworn, testified as follows:

By the Commission:

Q You want to make application for your daughter, Vicey Clayton, do you? A. Yes.
Q Is she your daughter? A Yes.
Q Why does she not appear for herself? A She is unable physically to appear.
Q You have no physician's or doctor's certificate to show that she is unable to appear here? A No sir.
Q How old is Vicey Clayton? A I can't tell you exactly.
Q About how old is she? A She is about 25 years old.
Q Where does she live? A In Atoka.
Q Where was she born? A She was born on Red River in the Choctaw Nation.
Q Has she lived in the Choctaw Nation ever since she was born? A Yes.
Q Never has been out of the Territory? A No sir.
Q What is her mother's name? A Nancy Fulsom.
Q Were you the slave of a Choctaw Indian? A I guess so, I was with mama.
Q What was your mother's name? A Phyllis Factor?
Q Is she living? A Yes.
Q Where is she? A She is present.
Q What was your father's name? A Wyley Homer.
Q Is he living? A Yes.
Q Where is he? A He is down in Kiamish county.
Q Is Vicey married? A Yes.
Q What is her husband's name? A Jesse Clayton.
Q Is Jesse Clayton a Choctaw freedman? A No sir.
Q Has Vicey any children? A None at all.
Q Were you present at the marriage? A Yes.
Q Was Vicey married to Jesse Clayton? A Yes.
Q Who married them? A Mr. Reider.
Q What was he? A A preacher.
Q What is Vicey's father named? A Wesley Graves.
Q Is he now living? A No sir.
Q He was your first husband? A Yes.
Q Was he the slave of a Choctaw Indian? A Yes.
Q What was his master's name? A Henry Byington.
Q Were you married to Wesley Graves? A Yes.
Q Who performed the ceremony? A Mr. Buttler a minister of the gospel.
Q Have you the marriage certificate? A No sir, they did not give us any

The tribal rolls of the Choctaw tribal authorities made in '85 examined and the name of Wesley Graves is found listed thereon as Wesley Gray No. 766 as a former slave of Henry Byington .

D. 78.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
ATOKA, IND., TER., JUNE 5, 1900.

In the matter of the application of Vicey Clayton for enrollment as a Choctaw freedman, Jesse Clayton being sworn by Acting Chairman Bixby testified:

By the Commission:

Q Do you know Vicey Clayton? A Yes.
Q What relation is she to you? A She is my wife.
Q You are not a Choctaw freedman are you? A No sir.
Q Why doesn't your wife appear for enrollment herself? A She is ill at home.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
ATOKA, IND. T., JUNE 6, 1900.

In the matter of the application of Vicey Clayton for enrollment as a Choctaw freedman, Phyllis Factor being sworn by Acting Chairman Bixby, testified:

By the Commission:

Q. Do you know Vicey Clayton? A Yes.
Q What relation is she to you? A I am her grand-mother. She is not able to appear here? She is sick at home.

BEING RE-CALLED TESTIFIED:

By the Commission:

Q: You were present at the marriage of your daughter, Nancy Fulsom to a man by the name of Graves? A Yes.
Q. You saw them married? A Yes.
Q. Who married them? A Mr. Buttler, a preacher.

Brown McDonald, being first sworn by Acting Chairman Bixby, says that as Stenographer to the Five Civilized Tribes, he reported in full the testimony of the witnesses Nancy Fulsom, Jesse Clayton and Phyllis Factor in the matter of the application of Vicey Clayton for enrollment as a Choctaw freedman, and that the foregoing is a true and full transcript thereof.

Brown McDonald

Sworn to and subscribed before me this 6th day of June, 1900, at Atoka, Ind. Ter.

Acting Chairman.

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Vicey Clayton as Freedman of the Choctaw Nation.

Nancy Fulson, nee Jones, being first duly sworn and examined, testifies as follows:

ON BEHALF OF THE COMMISSIONER:

Q What is your name? Nancy Fulson.
Q How old are you? A I don't know, I guess about fourty.
Q What is your post office address? A Atoka.
Q What is the name of your father? A Wyley Homer.
Q What is the name of your mother? A Phillis Factor.
Q Were either your father or mother slaves during the Civil War? A My mother was, but I don't know anything about my father.
Q Who was your mother's owner? A Hawkins.
Q Do you know his first name? A No, sir, all I know is Hawkins.
Q Are you now married? A No, sir, I ain't married now.
Q Have you ever been married? A Yes, sir, I have been married twice.
Q What was the name of your first husband? A Cooper Fulson.
Q What was the name of your second husband? A Henry Jones.
Q Have you ever been married to any body else? A No, sir.
Q Did you have any children by your first husband, Cooper Fulsom? A Yes, sir.
Q What are their names? A Lula Fulsom, Ada Fulsom and Cora Fulsom.
Q You never had any other children by Cooper Fulsom? A No, sir, only these three.
Q Did you have any children by your second husband, Henry Jones? A No, sir.
Q Did you ever have any other children by any other man than Cooper Fulsom or Henry Jones? A Yes, sir, I had one.
Q Who was the father of this child? A I don't know.
Q What was the name of this child? A Its name is Vicey, and they call her Vicey Jackson.
Q Who called her Vicey Jackson? A We did.
Q Who do you mean by "we?" A The family.
Q You do not know then who is the father of Vicey? A I can tell you his name. It is Andy Jackson, but he is dead now.
Q Did you and Andy Jackson ever live together as husband and wife? A No, sir.
Q You were never married to Andy Jackson? No, sir, I was never married to him.
Q Did Andy Jackson ever claim this child Vicey as his child? A No, sir, he never did.
Q Who made application for the enrollment of Vicey Jackson? A I guess her husband.
Q Who is her husband? A Jessie Clayton.
Q In the application for the enrollment of this child, Vicey, her father's name was given as Weslie Graves. This is incorrect is it? A Yes, sir.
Q Is Andy Jackson now living? A No, sir.

(Witness excused)

Vicey Clayton.

I, Fay E. Blachert, upon oath, state that I reported the proceedings in the above and foregoing cause and that the same is a true and correct transcript of my stenographic notes taken therein.

Fay E. Blachert

Subscribed and sworn to before me this 18th day of January, 1907.

Richard Shanafelt
Notary Public.

IN RE
THE DEATH OF

Vicey Clayton (Mrs Vicey Grant)
a citizen ~~of the~~ by adoption

Choctaw Nation.

Approved ..... 190....

..... Commissioner

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 29 1905
COMMISSIONER.

It appearing from the within affidavits that Vicey Clayton died prior to September 25, 1902, it is, therefore, ordered that the application for her enrollment as a Choctaw freedman be, and the same is, hereby dismissed.

Commissioner.

Muskogee, Indian Territory,

FEB 20 1907

17877

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Vicey Clayton (nee Vicey Graves)
(Here insert name of deceased)

a ~~citizen of the~~ Choctaw Freedman ~~Nation~~, who formerly resided at or near

Atoka
(Here insert name of post office)
, Ind. Ter., and died on the day of

In the year of 1901

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Nancy Fulsom, on oath state that I am 39 years of age and a ~~citizen by~~ Choctaw Freedman of the Choctaw Indians, of the Choctaw Nation; that my post office address is Atoka Ind. Ter.; that I am
(Here insert name of post office)

the Mother of Vicey Clayton
(State relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased)

who was a ~~citizen by~~ Choctaw Freedman, of the Choctaw Indians, of the Choctaw Nation; and that said Vicey Clayton died on the — day of
(Here insert name of deceased)

In the year of 1901

Nancy her X mark Fulsom

WITNESSES TO MARK:
(Must be Two Witnesses)
J. H. Grant
J. B. Losey

Subscribed and sworn to before me this 15 day of December 1905.

J. B. Losey
Notary Public.

My Commission Expires Jan 17 1909

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Jesse Gary, on oath state that I am 35 years of age, and a citizen, by adoption, of the Choctaw Nation; that my post office address is Atoka Ind. Ter.;
(Here insert name of post office)

that I was personally acquainted with Vicey Clayton (nee Vicey Graves)
(Here insert name of deceased)

who was a ~~citizen by~~ Choctaw Freedman, of the Choctaw Indians, of the Choctaw Nation; and that said Vicey Clayton died on the — day of
(Here insert name of deceased)

In the year of 1901

Jesse Gary

WITNESSES TO MARK:
(Must be Two Witnesses)

Subscribed and sworn to before me this 28th day of December 1905

Fred H. Ayers
Notary Public.

My commission expires June 29th 1908

Choc FR D 79 Joanna McDonald

FR D 79

Choctaw Nation

DECISION RENDERED JUL 10 1906

no

DISMISSED JUL 10 1906

3, 4

REFUSED JUL 10 1906

COPY OF DECISION FORWARDED

JUL

COPY OF DECISION FORWARDED
ATTORNEY FOR APPLICANT.

JUL 10 1906

DECISION FORWARDED
APPLICANT

JUL

FORWARDED DEPARTMENT

ACTION APPROVED BY
SECRETARY OF INTERIOR.

MAR 4 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

NOTICE OF DEPARTMENTAL ACTION APR 1 9 1907
FORWARDED ATTORNEY FOR APPLICANT.

APR 1 9 1907

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

APR 1 9 1907

See testimony of Sept. 6 and 20-
filed in 17 B 126

17-B-126

COMMISSIONERS
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE

WM. O. BEALL,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Received Muskogee I. T.
June 21 1904 of the Commission
to the five civilized Tribes one
copy of the testimony in Choctaw
Freedman case No 79

Joanna McDonald et al
vs
Choctaw Nation

Chas. W. McPherson
Atty for Applicants.

17-D-79

Muskogee, Indian Territory, July 6, 1904.

Chas. E. McPherren,

Attorney at Law,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 30, 1904, requesting to be advised whether or not you will be permitted to introduce the testimony of witnesses in support of the application for enrollment of Joanna McDonald and her family as Choctaw freedmen, and if so, you suggest that such witnesses can conveniently appear July 25, 1904.

You are informed that if you desire to introduce the personal testimony of witnesses in support of the application for enrollment of the above named persons, such witnesses will be heard upon their appearance at the office of the Commission in Muskogee, Indian Territory. It is suggested, however, that the same be attended to with as little delay as possible.

Respectfully,

Commissioner in Charge.

17-D-79.
17-D-80.

Muskogee, Indian Territory, August 1st, 1904.

Charles H. McPherren,

Attorney at Law,

Caddo, Indian Territory.

Dear Sir:

On July 6, 1904 the Commission acknowledged receipt of your letter of June 30, 1904, requesting to be advised whether or not you would be permitted to introduce the testimony of witnesses in support of the application for the enrollment of Joanna McDonald and her family as Choctaw freedmen and suggesting that such witnesses could appear July 25, 1904.

You are informed that if you desire to introduce the personal testimony of witnesses in support of the application for the enrollment of the above named persons, such witnesses will be heard upon their appearance at the office of the Commission in Muskogee, Indian Territory; or they may appear at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904; or at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

Respectfully,

Commissioner in Charge.

17-D-79
17-D-128

Muskogee, Indian Territory, October 21, 1904.

Charles E. McPherren,

Caddo, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 19th instant, requesting to be furnished with a copy of the testimony taken at Atoka, Indian Territory, September 6 and September 20, 1904, in the matter of the application for the enrollment of Joanna McDonald and others.

Enclosed herewith you will find a copy of the testimony taken in said cases upon the dates mentioned, together with a receipt for the same, which you are requested to sign and return to this office at your earliest convenience.

Respectfully,

Enc. E. B. 1-21.

Chairman.

Received Caddo, Indian Territory 25 day Oct month 1904, of the Commission to the Five Civilized Tribes one copy of the testimony taken September 6, 1904, also one copy of the testimony taken September 28, 1904, in the matter of the application for the enrollment of Joanna McDonald and others as Chickasaw freedmen.

[illegible]

(1071)

17-D-128

Muskogee, Indian Territory, November 27, 1905.

Charles E. McPherren,

Caddo, Indian Territory.

Dear Sir:

On February 25, 1905 you advised this office that you were the attorney for Emily Fields and her descendants, who are applicants for enrollment as Choctaw Freedmen. On March 1, 1905 a letter was addressed to you, asking for certain evidence relative to the enrollment of said Emily Fields and her descendants.

No response has been received at this office in reply to said request. You are now advised that in case you represent the parties above mentioned it will be necessary that additional evidence should be furnished in the matter of the enrollment of said parties. Evidence is requested with respect to the ownership of Emily Fields at the close of the war, the residence os herself and descendants up to and including September 25, 1902.

You should give this matter your prompt attention. If you do not at present represent them you will please inform this office to that effect.

Respectfully,

Acting Commissioner.

17-D-79.

Muskogee, Indian Territory, January 23, 1906.

Laney McDoanld,

Boynton, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of January 7, 1906, in which you ask relative to filing as a Choctaw freedman.

In reply to your letter you are advised that it appears from the records of this office that Lennie, Paralee and Cleveland McDonald, children of Joanna and Andy McDonald, are applicants for enrollment as Choctaw freedmen.

You are further advised that it appears from the records of this office that you are one of the grandchildren of Emily Fields, and the applicants in the consolidated Choctaw freedman case of Emily Fields and her descendants have been notified that additional evidence is necessary in this case with respect to the ownership of Emily Fields at the close of the war and the residence of herself and her descendants up to and including September 25, 1902, but as yet no such evidence has been received.

This matter should receive immediate attention and notice of the time of taking testimony in this case must be served upon Mansfield, McMurray & Cornish, Attorneys for Choctaw and Chickasaw Nations, South McAlester, Indian Territory.

Respectfully,

Commissioner.

REFER IN REPLY TO THE FOLLOWING

17-D-79

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 5, 1906.

Lennie McDonald,

Boynton, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen with which case the application for the enrollment of yourself and your brother and sister Cleveland and Paralee McDonald as Choctaw freedmen has been consolidated.

Respectfully,

Acting Commissioner.

B.79 Choctaw Freedman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND., TER., JUNE 11, 1900.

In the matter of the application of Joanna McDonald for enrollment as a Choctaw Freedman, said Joanna McDonald being sworn by Acting Chairman Bixby, testified:

By the Commission:

Q What is your name? A Joanna McDonald.
Q What is your postoffice address? A Caddo.
Q What is your age? A About 45.
Q Where do you live? A Caddo.
Q Where were you born? A In the Choctaw Nation?
Q At what point in the Choctaw Nation? A Kiamish.
Q Have you lived in the Choctaw Nation continuously since your birth? A Yes.
Q Then you have never been out of the Choctaw Nation during your life? A I have been out visiting, not living.
Q Were you the slave of a Choctaw Indian? A Yes.
Q Who was your owner? A Clark McCoy.
Q Are you married? A I am not married now.
Q Have you ever been married? A yes.
Q What was your husband's name? A Andy McDonald. I have been married twice.
Q Is Andy McDonald living or dead? A He is dead.
Q Have you married again since his death? A No sir.
Q Was Andy McDonald your first husband? A No sir.
Q What was the name of your first husband? A John Williams.
Q Have you any children living by John Williams? A yes, one here. (indicating.)
Q Just one? A yes.
Q What is the name of that child? A Eveline Bryant. 17080
Q Is that the only child by your first marriage? A The other one isn't living.
Q Have you any children by your second marriage? A Yes.
Q Are they all under 21 years of age? A I don't know exactly what their ages is. I haven't got their ages.
Q Give the names and ages of your children by your second marriage, start with the eldest and give ~~his name~~ the first name? A Buck Townsend.
Q Who is the father of Buck Townsend? A Tom Townsend?
Q How old is Buck? A 22.
Q What is the name of your next child? A Viney McDonald.
Q How old is Viney? A I don't know exactly the ages.
Q Give us the ages approximately as near as you can? A 21.
Q What is the next one younger than she? A Lula Stevenson.
Q How old is Lula? A About 17.
Q Who is the next one? A Fannie. 17079
Q How old is Fannie? A About 16.
Q What is the name of the next one? A Lennie. 17079
Q How old is Lenie? A About 15 years old.
Q What's the next one's name? A Paralee McDonald. 17079
Q How old is Paralee? A 14 years old.
Q What,s the name of the next one? A Cleveland McDonald, about 8 years old. 17079
Q Have you any more? A That's all.
Q Are any of these children married? A Two of them.
Q What are their names? A Eveline and Lula.
Q Then you make application for the enrollment of yourself, your minor children, Fannie McDonald, Lennie McDonald, Paralee McDonald and Cleveland McDonald, as Choctaw freedmen? A Yes.
Q Are all of these children living and unmarried? A yes.
Q Are they all living at home with you? A yes.
Q Give the name of your father? A Dave McCoy.
Q Is your father living or dead? A He is living.

Q Where does he live? A At Boggy.
Q was he the slave of a Choctaw Indian? A I don't know.
Q What is the name of your mother? A Emily McCoy.
Q Is your mother living? A Yes.
Q Where does she live? A At Caddo.
Q Was she the slave of a Choctaw Indian? A Yes.
Q What was her master's name? A Clark McCoy.
Q Were you in the Choctaw Nation during the Civil war? A yes.
Q Where were you when you were freed? A I was here in the Choctaw Nation.
Q Then you were here at the close of the war? A yes.
Q Do you know whether you were in the Choctaw Nation on September 13th 1865? A Yes, I guess I was, I was born and raised here.
Q How long after you were freed before you left the Choctaw Nation for any purpose? A I don't know.
Q Do you remember the first time you ever left the Choctaw Nation? A I don't know, but it was after I was married.
Q Don't you remember the year you were first married? A I don't remember.
Q How long was it after the war closed-- after you were freed that you were first married? A I don't know.
Q You were not married when you were freed were you? A No sir, I don't think I was.
Q Did you ever make your home anywhere except in the Choctaw Nation? A I have always lived here- never made my home anywhere's else.
Q Do you know whether your mother was in the Choctaw Nation in September, 1865, or not-- that is the year after the war closed? A I don't know.
Q Do you know whether your father was in the Choctaw Nation in September, 1865? A He has always been here--- I guess he was.
Q Have you over been enrolled by the authorities of the Choctaw Nation as a Choctaw freedman? A Yes.
Q When were you enrolled by the authorities of the Choctaw Nation? A When they were registering them.
Q When was that? A I could not tell you when it was. It was a good while ago.
Q 10 years ago? A It hasn't been that long.

By Judge Lewis:
Q Didn't Clark McCoy have another name? A No sir.
Q What did they generally call Clark? Didn't they generally call him Dock? A yes.
Q Were you living with your mother when you were freed? A yes?
Q Well where was Dock living when the war ended? A On Kiamish.
Q Right where? A I could not tell exactly-- it was on Kiamish.
Q Were you living with him when you got free? A Yes.
Q Where did you live--- what part of Kiamish county? A I don't know exactly what part it was.
Q Who lived near there-- you know the neighbors didn't you? A Lots of people lived there.
Q Did Peter Maytubby live near there? A I don't know him.
Q Did you know William Spring? A Yes.
Q How far did you live from William Spring? A I don't know exactly how far it was.
Q Have you a brother named Noah Brown? A A half brother.
Q The same mother? A yes, he is dead now.
Q Didn't you come back from Texas here about 6 years after the war, you and your mother and all of you? A I always stayed here.
Q Didn't these two McCoy boys sell your mother and what children she had at that time to William Spring and Spring sold them over to Texas? A I don't know.
Q Were you born in the Choctaw Nation or Texas? A I was born here

Q You mean in the Choctaw Nation? A Yes.
Q You don't know whether you went with your mother or not when you were sold? A I don't know; I always lived here since I can recollect.
Q Do you know Henry Chalk? A No sir.

By the Commission:
Q Will you swear positively that you never have lived in the State of Texas? A I have been over there-- stayed over there a little while.
Q How long did you stay at any one time in Texas? A Stayed there a couple of years did you at one time? Didn't you stay there two years at one time? A I don't know; I know I stayed there.
Q Didn't you stay as long as two years or more? A I don't know; I know I stayed there.
Q Did you stay there a year? A I don't know I know I stayed there.
Q Well, you certainly can tell whether you stayed there a month, a week or a year can't you? A I don't know exactly how long.
Q When were you last in the State of Texas? A It has been a good while.
Q Has it been a year? A It has been longer than that.
Q Do you remember when the last President of the United States was elected? A I don't remember.
Q You know there was a President elected about four years ago? I don't know.
Q Have you ever been before this Commission before an applicant for enrollment as a Choctaw freedman? Have you ever been before the Dawes Commission before? A I don't know.
Q When the Commission was at Caddo last year camped out like this didn't you appear before them? Don't you know whether your mother ever appeared and made application for enrollment for you and other members of your family? A I don't know.
Q In what county of the Choctaw Nation do you live? A I live at Caddo.

The roll of Choctaw freedmen made by the authorities of the Choctaw Nation in1885 is examined and the names of Joanna McDonald, Fannie McDonald, Lennie McDonald, paralee McDonald and Cleveland McDonald are not found thereon.

The roll of Choctaw freedmen made by the tribal authorities of the Choctaw Nation in the year 1896 is examined and the names of Joanna McDonald, Fannie McDonald, Lennie McDonald, paralee McDonald and Cleveland McDonald are not found thereon.

Do you know whether your father was ever enrolled as a Choctaw freedman? A Yes, but he is dead.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in 1885 is examined and on page 42 thereof the name of David McCoy appears being No. 1345 shown by said roll to have been the slave of James McCoy.

Was your mother ever enrolled as a Choctaw freedman? A I do not know.

The roll of 1885 of Choctaw freedmen prepared by the authorities of the Choctaw Nation is examined and the name of Emilia Fields appears thereon on page 36, being number 1154, shown to have been the slave of John Clark McCoy.

The roll of 1896 of Choctaw freedmen prepared by the Choctaw authorities is examined and the name of Emily appears thereon numbered 1452.

By Mr. Henry Byington, attorney for applicant:

Q Did you come here to make application through your father's rights?
A yes.
Q Is that an affidavit you wish to submit to the Commission? A Yes.

(Affidavits of David McCoy and Emily Fields filed).

By the Commission:
Q Is there any additional statement in regard to your case that you desire to make? A No sir.

You will be permitted to offer any additional evidence in the form of affidavits or statements which you may desire to present. In the event that the Commission denies your application for yourself or any of the members of your family you will be advised in writing , and any testimony, statements, affidavits or other evidence which you may offer in your case will be forwarded to the Honorable Secretary of the Interior when the rolls of ~~Shink~~-Choctaw freedmen are forwarded to him for final approval.

D.79-Choctaw Freedman.
Joanna McDonald-5.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND., TER., JUNE 11, 1900.

In the matter of the application of JOANNA MCDONALd for enrollment as a Choctaw freedman, Peter Maytubby being sworn by Acting Chairman Bixby testified:

By Judge Lewis:

Q How old are you? A 63.
Q Are you a full blood Chickasaw? A Yes.
Q What official position do you hold in the Chickasaw Nation? A I am a member of the Chickasaw Citizenship Commission.
Q Were you acquainted with Clark McCoy ? A Yes.
Q He had a nickname he was know by? A Yes.
Q What was that nick-name? A Dock.
Q Did he have any slaves at the time the slaves were set free? A No sir.
Q Did you know a woman John and Clark owned named Emily? A Yes.
Q Do you know what became of her? A He sold her over in Texas.
Q Do you know who bought them? A Yes.
Q What was the man,s name? A William Spring and John Cothlin bought them.
Q Did she have any children at the time she was sold? A I think she did.
Q Do you recognize this woman (the applicant) as being one of those children? A I don't.
Q They sold all the slaves they had? A Yes.

By the Commission:

Q Do you remember the exact time that those people were sold to these Texas people? A No sir, I was going to school at that time.

By Mr. Cornish Choctaw-Chickasaw attorney:

Q Do you remember about how long that was before the slaves were freed? A I must have been 17 or 18 years old.
Q Do you remember about how many years it was before the slaves were freed? A I am 63 years old now and I was between 17 and 18 years old going to school.
Q That was about 1854? A Yes.

By the Commission:

Q Do you know whether these slaves were removed to Texas at that time? A They were sold and taken over in Texas by old man John Cothlin. William Spring and John Cothlin were partners.
Q Is that William Spring a Choctaw Indian? A Yes, a half breed.
Q Was John Cothlin a Choctaw Indian ? A No sir, he was a white man.
Q Do you know when these people returned to the Choctaw Nation? A No sir.

(Further evidence of Henry Chalk now living at Muskogee will be submitted in this case by the Choctaw Nation.)

Brown McDonald, being sworn by Acting Chairman Sixby, says that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony of Joanna Mc Donald and Peter Maytubby in the matter of the application of Joanna McDonald for enrollment as a Choctaw freedman, and that the foregoing transcript is a full and correct transcription of his notes.

Brown McDonald

Sworn to and subscribed before me this 12th day of June, 1900, at Colbert, Indian Territory.

Acting Chairman.

IN RE
THE DEATH OF

Fannie McDonald
a citizen of the

Choctaw (Freedman) Nation.

Approved 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Fannie McDonald (Here insert name of deceased.) a citizen of the Choctaw (Freedman) Nation, who formerly resided at or near Caddo, (Here insert name of postoffice) , Ind. Ter., and died on the 15th. day of June , 1903.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central DISTRICT.

I, Mary Lee ne Belvin , on oath state that I am 33 years of age and a citizen, by adoption , of the Choctaw (Freedman) Nation; that my postoffice address is Caddo, (Here insert name of postoffice.) , Ind. Ter.; that I am aunt (State relationship as: the father; an uncle; a cousin, etc.) of Fannie McDonald (Here insert name of deceased) , who was a citizen, by adoption , of the Choctaw (Freedman) Nation; and that said Fannie McDonald (Here insert name of deceased.) died on the 15th. day of June , 1903.

Mary Lee

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 14th. day of March 1905.

Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central DISTRICT.

I, Jessie Smith , on oath state that I am 21 years of age, and a citizen ~~by~~ ---------- , of the United States ~~XXXXX~~ Nation; that my postoffice address is Caddo, (Here insert name of postoffice.) , Ind. Ter.; that I was personally acquainted with Fannie McDonald (Here insert name of deceased.) who was a citizen, by adoption , of the Choctaw (Freedman) Nation; and that said ~~15th.~~ Fannie McDonald (Here insert name of deceased) died on the 15th. day of June , 1903.

Jessie his x Smith mk.

WITNESSES TO MARK:

(Must be Two Witnesses.) Mary Mason

Subscribed and sworn to before me this 14th. day of March 1905.

Notary Public.

IN RE
THE DEATH OF

....

a citizen of the

... . Nation.

Approved 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Paralee McDonald nee Ship (Here insert name of deceased.) a citizen of the Choctaw Nation (Freedman) Nation, who formerly resided at or near Caddo (Here insert name of postoffice) , Ind. Ter., and died on the 18th. day of February , 1905.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central DISTRICT.

I, Mary Lee, nee Belvin, on oath state that I am 33 years of age and a citizen, by Adoption, of the Choctaw (Freedman) Nation; that my postoffice address is Caddo (Here insert name of postoffice.), Ind. Ter.; that I am Aunt (State relationship as: the father; an uncle; a cousin, etc.) of Paralee McDonald (Here insert name of deceased), ~~who was a citizen, by Adoption, of the Choctaw (Freedman)~~ Nation; and that said Paralee McDonald (Here insert name of deceased.) died on the 18th. day of February, 1905.

Mary Lee

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 14th. day of March 1905.

Mack McKinney
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central DISTRICT.

I, Jesse Smith, on oath state that I am 21 years of age, and a citizen by ——, of the United States ~~Nation~~ that my postoffice address is Caddo, (Here insert name of postoffice.), Ind. Ter.; that I was personally acquainted with Paralee Smith (Here insert name of deceased.) who was a citizen, by Adoption, of the Choctaw (Freedman) Nation; and that said Paralee McDonald (Here insert name of deceased) died on the 18th. day of February, 1905.

Jesse his x mark Smith

WITNESSES TO MARK:

(Must be Two Witnesses.)

Mary Lee
Mack McKinney

Subscribed and sworn to before me this 14th. day of March 1905.

Mack McKinney
Notary Public.

O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Emily Fields, et al., as Choctaw freedmen, consolidating the applications of

Emily Fields	17-D-128,
Joanna McDonald, et al	17-D-79,
Robert Townsend	17-D-169,
Viney Nail, et al	17-D-172,
Eveline Bryant, et al	17-D-80,
Jim Townsend	17-D-81,
Sidney Fields, et al	17-D-82,
Rena Paris	17-D-83,
Sterling Williams, et al	17-D-84,
Charley Fields, et al	17-D-85,
Madison Fields, et al	17-D-86,
Alexander Fields	17-D-87,
Horace Fields	17-D-88,
Mary Belvin	17-R-10.

D E C I S I O N.

It appears from the census card records in this case that on August 24, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Emily Fields as a Choctaw freedman; that on June 11, 1900, applications were made to said Commission for enrollment as Choctaw freedmen by Joanna McDonald for herself and her four minor children, Fanny, Lennie, Paralee and Cleveland McDonald; by Eveline Bryant for herself and her two minor children, Oscar Osborne and Leroy Bryant; by Jim Townsend for himself; by Sidney Fields for himself and his five minor children, Clara, Carrie, Ephriam, Wilburn and Mary Fields; by Rena Paris for herself; and by Sterling Williams for himself and his two minor children, Lewis and Virdie Williams; that on June 12, 1900, applications were made by Charley Fields for the enrollment of himself and his two minor children, Clifton and Willy Fields; by Madison Fields for himself and his minor child, Emma Fields; by Alexander Fields for himself, and by Horace Fields for himself as Choctaw freedmen; that on November 20, 1902, application was made by Robert Townsend for the enrollment of himself; that on November 21, 1902, application was made by Viney Nail for the enrollment of herself and her minor nephew and neice, Ed and Virgie Stevens; and that on August 22, 1899, application was made by Mary Belvin for the enrollment of herself as a Choctaw freedman.

It appears from the records in the possession of this office that Virdie Williams, minor applicant in 17-D-84, has heretofore been enrolled as a Choctaw freedman, her name (as Odessa May Williams) appearing as number 3430 upon a list prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), of persons entitled to enrollment as Choctaw freedmen, and approved by the Secretary of the Interior September 26, 1903.

It further appears from the record herein and from the census card records in this case that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Charley Fields and Rena Paris are the children of the applicant, Emily Fields, and Eugene Fields, a non-citizen; that Emma Fields is the daughter of the applicant, Madison Fields, and Frances Fields, a non-citizen; that Clifton and Willy Fields are the children of the applicant, Charley Fields, and Biddy Fields, a non-citizen; that Lewis Williams is the son of the applicant, Sterling Williams, and Mattie Williams, a non-citizen; that Fanny, Lennie, Paralee and Cleveland McDonald and Viney Nail are the children of the applicant, Joanna McDonald, and Andy McDonald, a non-citizen; that Robert Townsend is the son of the applicant, Joanna McDonald, and Isom Townsend, a non-citizen; that Ed and Virgie Stevens are the children of Will Stevens, a non-citizen, and Lou Stevens (now deceased, and born subsequent to the war), who was the daughter of the applicant, Joanna McDonald, and Andy McDonald, above mentioned; that Eveline Bryant is the daughter of the applicant, Joanna McDonald, and John Williams, a non-citizen; that Oscar Osborne is the son of said Eveline Bryant and Cornelius Osborne, a non-citizen; that Leroy Bryant is the son of Eveline Bryant and Russell Bryant, a non-citizen; that Jim Townsend is the son of Isom Townsend, a non-citizen, and Ellen Townsend (now deceased); and that Clara, Carrie, Ephriam, Wilburn and Mary Fields are the children of the applicant, Sidney Fields, and Mattie Fields, a non-citizen.

It further appears from the record herein that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Emma Fields, Charley Fields, Clifton Fields, Willy Fields, Sterling Williams, Lewis Williams, Rena Paris and Robert Townsend, were born subsequent to the war of the rebellion, and claim their right to enrollment as Choctaw freedmen by reason of being descendants of the principal applicant, Emily Fields; that the applicants, Fanny McDonald, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, and Leroy Bryant, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Joanna McDonald; that Jim Townsend claims his right to enrollment by reason of being a descendant of Ellen Townsend; and that Clara, Carrie, Ephriam, Wilburn and Mary Fields, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Sidney Fields.

It is alleged that said Emily Fields, Sidney Fields, Joanna McDonald and Ellen Townsend (now deceased), who were born prior to the war of the rebellion, were the slaves of Dock (or John) and Clark McCoy, during and at the close of the war of the rebellion.

The preponderence of the evidence, however, shows that the persons above mentioned, were, during and at the close of the war of the rebellion, the slaves of a white man, and resided in the state of Texas at the date of the treaty of Fort Smith.

The record herein further shows that the applicants, Joanna McDonald and Fanny McDonald, died prior to September 25, 1902.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that the applicants, Emily Fields, Sidney Fields, Clara Fields, Rena Paris and Sterling Williams, are identified upon the 1885 Choctaw freedmen census roll, Blue County, numbers 1154, 1163, 1164, 1165 and 1166, respectively. The applicants, Emily Fields, Charley Fields and Madison Fields, are identified upon the 1896 Choctaw freedmen census roll, Blue County, numbers 1462, 1451 and 1441, respectively.

I am, therefore, of the opinion that the applications for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Vincy Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephriam Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields and Mary Belvin as Choctaw freedmen, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the application for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen should be dismissed, and it is so ordered.

SIGNED Tams Bixby

Commissioner.

Muskogee, Indian Territory,

JUL [illegible]

17-D-79 et al

Muskogee, Indian Territory, July 10, 1906.

Lennie McDonald,

Boynton, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of yourself, Paralee McDonald and Cleveland McDonald, and dismissing the applications for enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.

Incl. 17-D-79 et al.

17-D-128 et al.

Muskogee, Indian Territory, July 10, 1906.

Charles M. McPherren,
Attorney at Law,
Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lonnie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Jeanna McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Incl. 17-D-128 et al.

17-D-128 et al

Muskogee, Indian Territory, July 10, 1906.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nation,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Incl. 17-D-128 et al.

Muskogee, Indian Territory, July 10, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Neil, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephraim Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields, and Mary Melvin as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated July 10, 1906, denying said applications, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

Respectfully,

Commissioner

2 Incl. 17-D-128 et al.

Through the
Commissioner of Indian Affairs.

D.C. 12882

J.P.

S.P:

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

I.T.D.

March 4, 1907.

6174,7010,7116,7234,7240-1907.
7244,7246,7320,7316- "
7422,7466,7474,7476- "
7498,7592,7638,7672,7748- "
7758- "

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Chickasaw citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your report and recommending that the decisions be affirmed are inclosed.

Title of Case.	Date of your letter of transmittal.
Virgie Goldsberry, et al.	February 19, 1907
Dollie A. Rolston, et al.	February 18, 1907
Louella Jones, et al.	January 16, 1907.
James K. Davis, et al.	January 23, 1907
May Sparks, et al.	January 23, 1907.
Angie Owens, et al.	January 19, 1907
Homer Smith	January 23, 1907
Richard Love (freedman)	February 20, 1907
Jewell Shelton	February 20, 1907
Moses Grayson	February 21, 1907
Kate Duncan, et al.	January 19, 1907
Jessie M. Graham	February 21, 1907.
Ethel C. Boyd, et al.	February 21, 1907.
Carol n B. Ryan	February 21, 1907
Joanna Freeman (freedman)	February 20, 1907
Melissa Woods, et al. (freedmen)	February 21, 1907
A. P. Hoff, et al.	January 24, 1907
Gordertian McKinney, et al.	February 4, 1907
Aleck Brown, et al.	February 26, 1907
C. T. Weeks, et al.	February 26, 1907

A copy hereof and the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,
KAHitchcock,
Secretary.

20 inc. and
40 to Ind. Of.

WCY.-3-4-07

D. C. 12852
LAND
8457-1907.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

COPY. WASHINGTON. March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the report of Commissioner Bixby, dated January 23, 1907, transmitting the record relative to the application for the enrollment of James Edward Davis, Rachel Emoline Davis, and Martha Elmore Davis, as citizens of the Chickasaw Nation, and Annie V. Kelly (nee Davis), as a citizen by intermarriage of that Nation. On January 23, 1907, the Commissioner held that the applicants were not entitled to enrollment.

The decision of the Commissioner has been examined, and fould to be correct, and its approval is recommended.

Very respectfully,

C F Larrabee,

Acting Commissioner.

JPB-LC.

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

20093

MUSKOGEE, IND. T.
JUL 11 1906
REGISTERED.

1678

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

BOYNTON
AUG 14 A.M. 1906
IND. T.

Lennie McDonald,

Boynton, Indian Territory.

Registered
AUG 14 1906

23/23

17-R-71

REFER IN REPLY TO THE FOLLOWING

17-D-79 et al

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, July 10, 1906.

Lennie McDonald,

Boynton, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of yourself, Paralee McDonald and Cleveland McDonald, and dismissing the applications for enrollment of Jeanna McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.

Incl. 17-D-128 et al.

Choc FR D 80 Eveline Bryant

FR D 80

[redacted]

Evaline Bryant et al
vs
Choctaw Nation

JUL 1 1906
DECISION RENDERED

REFUSED

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS

COPY OF DECISION FORWARDED
SECRETARY

JUL 10 1906

DECISION TO APPLICANT

See also testimony in
Choctaw Fr. No. 79.

RECORD FORWARDED DEPARTMENT

ACTION APPROVED BY
SECRETARY OF INTERIOR.

MAR 4 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 1 9 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 1 9 1907

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

APR 1 9 1907

17-D-79.
17-D-80.

Muskogee, Indian Territory, August 18, 1904.

Charles E. McPherren,
Attorney at Law,
Caddo, Indian Territory.

Dear Sir:

On July 6, 1904 the Commission acknowledged receipt of your letter of June 30, 1904, requesting to be advised whether or not you would be permitted to introduce the testimony of witnesses in support of the application for the enrollment of Joanna McDonald and her family as Choctaw freedmen and suggesting that such witnesses could appear July 25, 1904.

You are informed that if you desire to introduce the personal testimony of witnesses in support of the application for the enrollment of the above named persons, such witnesses will be heard upon their appearance at the office of the Commission in Muskogee, Indian Territory; or they may appear at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904; or at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

Respectfully,

Commissioner in Charge.

17-D-79

Muskogee, Indian Territory, March 22, 1905.

Lena McDonald,

Lehigh, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 17, 1905, in which you state you learned you were enrolled under the name of Laney McDonald, instead of Lena; you wish to file on your allotment and therefore request to be advised if you are on the rolls as a Choctaw freedman.

In reply to your letter you are informed that Lennie McDonald, daughter of Joanna and Andy McDonald is an applicant to this Commission for enrollment as a Choctaw freedman, but the Commission has not yet passed upon your rights to such enrollment. When a decision is reached in this case you will be notified of the action taken therein.

Respectfully,

Chairman.

17-D-123

Muskogee, Indian Territory, November 27, 1905.

Charles E. McPherren,

Caddo, Indian Territory.

Dear Sir:

On February 25, 1905 you advised this office that you were the attorney for Emily Fields and her descendants, who are applicants for enrollment as Choctaw Freedmen. On March 1, 1905 a letter was addressed to you, asking for certain evidence relative to the enrollment of said Emily Fields and her descendants.

No response has been received at this office in reply to said request. You are now advised that in case you represent the parties above mentioned it will be necessary that additional evidence should be furnished in the matter of the enrollment of said parties. Evidence is requested with respect to the ownership of Emily Fields at the close of the war, the residence os herself and descendants up to and including September 25, 1902.

You should give this matter your prompt attention. If you do not at present represent them you will please inform this office to that effect.

Respectfully,

Acting Commissioner.

17-D-80

Muskogee, Indian Territory, March 5, 1906.

Eveline Bryant,

Caddo, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen with which case the application for your enrollment and the enrollment of your children Oscar, Osborne and Leroy Bryant as Choctaw freedmen has been consolidated.

Respectfully,

Acting Commissioner.

D-80 Choctaw freedman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND., TER., JUNE 11, 1900.

In the matter of the application of Eveline Bryant for herself and children, Oscar Osborne and LeRoy Bryant for enrollment as Choctaw freedman, Joanna McDonald being sworn testified as follows:

By Mr. Henry Byington, attorney for applicant:

Q What is your name? A Joanna McDonald.
Q What is your postoffice? A Caddo.
Q What relation is Eveline Bryant, the applicant in this case, to you? A She is my daughter.
Q What was her father's name? A John Williams.

Commissioners of the Choctaw Nation request that in consideration of this case the evidence of Peter Maytubby filed in the case of Joanna McDonald against the Choctaw Nation be considered.

By the Commission:

Q Did you ever make application before this time to the Dawes Commission for enrollment as a Choctaw freedman? A No sir.
Q Did anyone else ever make such application in your behalf? A think so; my mother said she did.
Q Were you the slave of a Choctaw Indian? A Yes, I guess I was.
Q Who was your master? A Clark McCoy.
Q You have stated that John Williams is the father of the applicant, Eveline Bryant, were you lawfully married to John Williams? A Yes.
Q Have you your marriage license or certificate? A I haven't got it.
Q Who married you? What was the minister named? A I don't know.
Q Do you know where you were married to John Williams? A Married to him here.
Q In the Chickasaw Nation? A Yes.
Q In what place in the Chickasaw Nation? A In Kiamish county.
Q Do you know when you were married to him? A I don't know what year it was.
Q Was John Williams a Choctaw freedman? A I don't know.
Q Is he living in the Choctaw Nation at this time? A I don't know where he is now.
Q When did you separate from John Williams? A It has been a good many years ago.
Q Did he or did you procure a divorce? A We just agreed to separate.
Q What is the name of your mother? A Emily Fields.
Q Is she living? A yes.
Q Where does she live? A Caddo.
Q Was she the slave of a Choctaw Indian? A yes.
Q Whom did she belong to? A Clark McCoy.
Q What is the name of your father? A Dave McCoy.
Q Is he living? A Yes.
Q Where? A Boggy.
Q Was he the slave of a Choctaw? A I don't know.

By Mr. Byington, attorney for applicant:

Q Your father, David McCoy, belonged to a Choctaw? A I don't know.

D-80 Choctaw Freedman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND., TER., JUNE 11, 1900.

In the matter of the application of Eveline Bryant for herself and her children, Oscar Osborne and LeRoy Bryant, for enrollment as Choctaw freedmen, said Eveline Bryant being sworn by Acting Chairman Bixby, testified as follows:

By the Commission?
Q What is your name? A Eveline Bryant.
Q What is your age? A About 25.
Q Where do you live ? A At Caddo.
Q What is your postoffice address? A Caddo.
Q Where were you born? A I was born in Kiamish county, Choctaw Nation, I believe it was.
Q Have you lived in the Choctaw Nation continuously ever since that time? A No sir.
Q Where have you lived besides the Choctaw Nation? A I stayed over at Paris, Texas, awhile.
Q When did you first leave the Choctaw Nation? A I could not tell you what year it was when I left.
Q About how many years? A I could not tell you.
Q How big a girl were you when you first left here? A A little girl.
Q About 8 or 9 years old probably? A Might have been, I don't know.
Q Were you that age or about 6 years old? A I expect I wasabout 3 or 4 years old.
Q 3 or 4 years old when you left the Choctaw Nation? A Yes.
Q Then it was about 20 or 21 years ago that you left here the first time? A I don't know.
Q How long did you stay out of the Choctaw Nation at that time? A I didn't stay out over two or three years.
Q Did you come back to the Nation from Texas? A Yes.
Q About how long did you live here before leaving here? A I don't know.
Q How long since you have been out of the Choctaw Nation? A I have not been out now for 12 or 13 years.
Q You make application for the enrollment as Choctaw freedmen of yourself, your children Oscar Osborne and LeRoy Bryant? A yes.
Q What is the name of your father? A John Williams.
Q Was he the slave of a Choctaw Indian? A I don't know.
Q Is your father living? A I don't know.
Q How long since you saw him? A I was quite small.
Q Have you ever heard of him since that time? A yes.
Q Where was he when you heard of him? A Over in Texas.
Q Do you know how long since he has been in the Choctaw Nation? A I don't know.
Q Has not been back since you were a child? A I don't know.
Q What was the name of your mother? A Joanna McDonald.
Q Is she living? A yes.
Q Was she the slave of a Choctaw Indian? A I don't know.
Q Do you know whether your mother was in the Choctaw Nation in September, 1865? A I don't know.
Q Do you know whether your father was in the ChoctawNation in September, 1865? A I don't know.
Q Have you ever been enrolled by the tribal authorities of the Choctaw Nation as a Choctaw freedman? A I don't know.

N. B.-2.

The roll of Choctaw Freedmen prepared bybthe tribal authorities of the Choctaw nation in the year 1885 is examined, and neither the names of Eveline McDonald or Eveline Bryant, or her two children, Oscar Osborne or LeRoy Bryant found thereon.

The roll of Choctaw Freedmen prepared by the Tribal authorities of the Choctaw Nation in the year 1896 is examined, and neither the names of Eveline McDonald or Eveline Bryant, or her two children, Oscar Osborne or LeRoy Bryant, found thereon.

Q Was your father ever enrolled as a Choctaw freedman? A I don't know.
Q Was your mother ever enrolled as a Choctaw freedman? A I don't know.

The tribal rolls of 1885 examined and neither the names of John Williams nor Joanna McDonald found there on.

Q Are you married? A Yes.
Q What is your husband's name? A Russell Bryant.
Q When were you married to Russell Bryant? A I don't know exactly; I think it was five ~~xxxx xxxxx xgx~~.or six years ago.
Q Where were you married to Russell Bryant? A In Caddo.
Q In Caddo, Indian Territory? A Yes.
Q How old is Russell Bryant? A I don't know exactly his age.
Q Have you with you your marriage license or certifice? A No sir.
Q Or certificied copy of same? A No sir I haven't.
Q Who married you? A Elder Hawkins.
Q Was he a minister of the gospel? A That is what he was.
Q What is the name of your children and also ages ? A Oscar Osborne and LeRoy Bryant.
Q How old is Oscar Osborne? A 5
Q How is LeRoy Bryant? A About 1 year and 3 months.
Q Are these children living with you? A Yes.
Q Who is the father of Oscar Osborne? A Cornelius Osborne.
Q Were you married to Cornelius? A No sir.
Q Is there any further statement you desire to make in regard to your case at this time? A No sir.
Q Is your husband a Choctaw ~~xxxxxx~~ freedman or a non-citizen? A A non-citizen.

You will be permitted to offer any additional evidence in the form of affidavits or statements which you desire to present. In the event that the application of yourself and your children is denied by this Commission you will be so advised in writing. Any testimony, affidavits or other evidence which may be offered in your case will be forwarded to the Honorable Secretary of the Interior when the rolls of Choctaw freedmen are forwarded to him for approval.

D-80 Choctaw Freedman.

Brown McDonald, being sworn by Acting Chairman Bixby, says that as Stenographer to the Five Civilized Tribes Commission, he reported in full the testimony of Eveline Bryant and Joanna McDonald in the matter of the application of Eveline Bryant et als., for enrollment as Choctaw freedmen, and that the foregoing is a true and complete transcript of his notes.

Brown McDonald

Sworn to and subscribed before me this 12th day of June, 1900, at Colbert, Indian Territory.

Acting Chairman.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

e matter of the application for the enrollment of
, et al. as Choctaw freedmen, consolidating the appli-

Emily Fields	17 D 1[illegible]
Joanna McDonald, et al.	17 D 79
Robert Townsend	17 D 169
Vir[illegible] Neil, et al.	17 D 172
Evelyne Bryant, et al.	17 D 50
Jim Townsend	17 D 61
Sidney Fields, et al.	17 D [illegible]
Rena Paris	17 D [illegible]
Sterling Williams, et al.	17 D 84
Charley Fields, et al.	17 D [illegible]
Madison Fields, et al.	17 D 86
Alexander Fields	17 D 7
Horace Fields	17 D 85
Mary Belvin	17 R 10

D E C I S I O N.

ap ears from the census card records in this case that
, 1[illegible], application was made to the Commission to the
ed Tribes for the enrollment of Emily Fields as a Choctaw
on June 11, 1900, applications were made to said Com-
enrollment as Choctaw freedmen by Joanna McDonald for
her four minor children, Fanny, Lon[illegible], [illegible]rdie and
Donald; by Eveline Bryant for herself and her two minor
r Osborne and Leroy Bryant; by Jim Townsend for him-
e Fields for himself and his five minor children, Clara,
a, Wilburn and M[illegible] Fields; by Rena Paris for herself;
ng Williams for himself and his two minor children,
rdie Williams; that on June 11, 1900, applications were
y Fields for the enrollment of himself and his two
n, Clifton and Willy Fields; by Madison Fields for him-
minor child, Emma Fields; by Alexander Fields for him-
Horace Fields for himself as Choctaw freedmen; that on
190[illegible], application was made by Robert Townsend for the
f himself; that on November 11, 1902, application was
Neil for the enrollment of herself and her minor nephew
and Virgie Stevens; and that on August 22, 1899, ap-
s made by Mary Belvin for the enrollment of herself as a
dian.

appears from the records in the possession of this of-
rdie Williams, minor applicant in 17 D 84, has heretofore
rolled as a Choctaw freedman, her name (as Odessa May
earing as number 3450 upon a list prepared by the Com-
the Five Civilized Tribes, under the provisions of the
een approved July 1, 1902 (2 Stats.,641), of persons
enrollment as Choctaw freedmen, and approved by the Sec-
Interior September 26, 1905.

further appears from the record herein and from the
records in this case that the applicants, Mary Belvin,
, Alexander Fields, Madison Fields, Charley Fields and
re the children of the applicant, Emily Fields, and
, a non-citizen; that Emma Fields is the daughter of
t, Madison Fields, and Frances Fields, a non-citizen;
and Willy Fields are the children of the applicant,

Charley Fields, and Biddy Fields, a non-citizen; that Lewis Williams is the son of the applicant, Sterling Williams, and Mattie Williams, a non-citizen; that Fanny, Lennie, Paralee and Cleveland McDonald and Viney Nail are the children of the applicant, Joanna McDonald, and Andy McDonald, a non-citizen; that Robert Townsend is the son of the applicant, Joanna McDonald, and Isom Townsend, a non-citizen; that Ed and Virgie Stevens are the children of Will Stevens, a non-citizen, and Lou Stevens (now deceased, and born subsequent to the war), who was the daughter of the applicant, Joanna McDonald, and Andy McDonald, above mentioned; that Eveline Bryant is the daughter of the applicant, Joanna McDonald, and John Williams, a non-citizen; that Oscar Osborne is the son of said Eveline Bryant and Cornelius Osborne, a non-citizen; that Leroy Bryant is the son of Eveline Bryant and Russell Bryant, a non-citizen; that Jim Townsend is the son of Isom Townsend, a non-citizen, and Ellen Townsend (now deceased); and that Clara, Carrie, Ephriam, Wilburn and Mary Fields are the children of the applicant, Sidney Fields, and Mattie Fields, a non-citizen.

It further appears from the record herein that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Emma Fields, Charley Fields, Clifton Fields, Willy Fields, Sterling Williams, Lewis Williams, Rena Paris and Robert Townsend, were born subsequent to the war of the rebellion, and claim their rights to enrollment as Choctaw freedmen by reason of being descendants of the principal applicant, Emily Fields, that the applicants, Fanny McDonald, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, and Leroy Bryant, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Joanna McDonald; that Jim Townsend claims his right to enrollment by reason of being a descendant of Ellen Townsend; and that Clara, Carrie, Ephriam, Wilburn and Mary Fields, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Sidney Fields.

It is alleged that said Emily Fields, Sidney Fields, Joanna McDonald and Ellen Townsend (now deceased), who were born prior to the war of the rebellion, were the slaves of Dock (or John) and Clara McCoy, during and at the close of the war of the rebellion.

The preponderance of the evidence, however, shows that the persons above mentioned, were, during and at the close of the war of the rebellion, the slaves of a white man, and resided in the state of Texas at the date of the treaty of Fort Smith.

The record herein further shows that the applicants, Joanna McDonald and Fanny McDonald, died prior to September 25, 1902.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that the applicants, Emily Fields, Sidney Fields, Clara Fields, Rena Paris and Sterling Williams, are identified upon the 1885 Choctaw freedmen census roll, Blue County, numbers 1154, 1163, 1164, 1165 and 1159 respectively. The applicants, Emily Fields, Charley Fields and Madison Fields, are identified upon the 1896 Choctaw freedmen census roll, Blue County, numbers 1452, 1451 and 1441, respectively.

I am, therefore, of the opinion that the applications for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bruant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephriam Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams,

Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields and Mary Belvin as Choctaw freedmen, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats.,495) and July 1, 1902 (32 Stats.,641), and it is so ordered.

I am further of the opinion that the application for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen should be dismissed, and it is so ordered.

(signed) Tams Bixby,
Commissioner.

Muskogee, Indian Territory,

Jul 10 1906.

17-D-80 et al

Muskogee, Indian Territory, July 10, 1906.

COPY

Eveline Bryant,

Caddo, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of yourself, Oscar Osborne and Leroy Bryant as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby
Commissioner.

Registered.

Incl. 17-D-80 et al.

17-D-128 et al.

Muskogee, Indian Territory, July 10, 1906.

COPY.

Charles E. McPherren,

Attorney at Law,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Jeanna McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

Tams Bixby

Commissioner.

Incl. 17-D-128 et al.

17-D-128 et al

Muskogee, Indian Territory, July 10, 1906.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nation,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Melvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Jeanna McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Incl. 17-D-128 et al.

Muskogee, Indian Territory, July 10, 1906.

CC. 5.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Neil, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephraim Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Rena Fields, Alexander Fields, Horace Fields, and Mary Melvin as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated July 10, 1906, denying said applications, and dismissing the applications for the enrollment of Jeanna McDonald and Fanny McDonald as Choctaw freedmen.

Respectfully,

Tams Bixby
Commissioner

2 Incl. 17-D-128 et al.

Through the
Commissioner of Indian Affairs.

Choc FR D 81 Jim Townsend

FR D 81

Jim [illegible]
vs
Choctaw Nation

JUL 1 1906

JUL 1 1906

JUL 1 1906

COPY OF DECISION FORWARDED
APPLICANT

See also testimony in
Choctaw Fr. No D.79.

RECORD FORWARDED

ACTION APPROVED BY
SECRETARY OF INTERIOR.
MAR 4 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.
APR 1 9 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.
APR 1 9 1907

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.
APR 1 9 1907

17-26-128

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Emily Fields, et al. as Choctaw freedmen, consolidating the applications of

Emily Fields	17 D	128
Joanna McDonald, et al.	17 D	79
Robert Townsend	17 D	169
Viney Nail, et al.	17 D	172
Eveline Bryant, et al.	17 D	80
Jim Townsend	17 D	81
Sidney Fields, et al.	17 D	82
Rena Paris	17 D	83
Sterling Williams, et al.	17 D	84
Charley Fields, et al.	17 D	85
Madison Fields, et al.	17 D	86
Alexander Fields	17 D	87
Horace Fields	17 D	88
Mary Belvin	17 R	10

D E C I S I O N .

It appears from the census card records in this case that on August 24, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Emily Fields as a Choctaw freedman; that on June 11, 1900, applications were made to said Commission for enrollment as Choctaw freedmen by Joanna McDonald for her self and her four minor children, Fanny, Lennie, Paralee and Cleveland McDonald; by Eveline Bryant for herself and her two minor children, Oscar Osborne and Leroy Bryant; by Jim Townsend for himself; by Sidney Fields for himself and his five minor children, Clara, Carrie, Ephriam, Wilburn and Mary Fields; by Rena Paris for herself; and by Sterling Williams for himself and his two minor children, Lewis and Virdie Williams; that on June 12, 1900, applications were made by Charley Fields for the enrollment of himself and his two minor children, Clifton and Willy Fields; by Madison Fields for himself and his minor child, Emma Fields; by Alexander Fields for himself and by Horace Fields for himself as Choctaw freedmen; that on November 20, 1902, application was made by Robert Townsend for the enrollment of himself; that on November 21, 1902, application was made by Viney Nail for the enrollment of herself and her minor nephew and niece, Ed and Virgie Stevens; and that on August 22, 1899, application was made by Mary Belvin for the enrollment of herself as a Choctaw freedman.

It appears from the records in the possession of this office that Virdie Williams, minor applicant in 17 D 84, has heretofore been enrolled as a Choctaw freedman, her name (as Odessa May Williams) appearing as number 3430 upon a list prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats.,641), of persons entitled to enrollment as Choctaw freedmen, and approved by the Secretary of the Interior September 26, 1903.

It further appears from the record herein and from the census card records in this case that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Charley Fields and Rena Paris are the children of the applicant, Emily Fields, and Eugene Fields, a non-citizen; that Emma Fields is the daughter of the applicant, Madison Fields, and Frances Fields, a non-citizen; that Clifton and Willy Fields are the children of the applicant,

Charley Fields, and Biddy Fields, a non-citizen; that Lewis Williams is the son of the applicant, Sterling Williams, and Mattie Williams, a non-citizen; that Fanny, Lennie, Paralee and Cleveland McDonald and Viney Nail are the children of the applicant, Joanna McDonald, and Andy McDonald, a non-citizen; that Robert Townsend is the son of the applicant, Joanna McDonald, and Isom Townsend, a non-citizen; that Ed and Virgie Stevens are the children of Will Stevens, a non-citizen, and Lou Stevens (now deceased, and born subsequent to the war), who was the daughter of the applicant, Joanna McDonald, and Andy McDonald, above mentioned; that Eveline Bryant is the daughter of the applicant, Joanna McDonald, and John Williams, a non-citizen; that Oscar Osborne is the son of said Eveline Bryant and Cornelius Osborne, a non-citizen; that Leroy Bryant is the son of Eveline Bryant and Russell Bryant, a non-citizen; that Jim Townsend is the son of Isom Townsend, a non-citizen, and Ellen Townsend (now deceased); and that Clara, Carrie, Ephriam, Wilburn and Mary Fields are the children of the applicant, Sidney Fields, and Mattie Fields, a non-citizen.

It further appears from the record herein that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Emma Fields, Charley Fields, Clifton Fields, Willy Fields, Sterling Williams, Lewis Williams, Rena Paris and Robert Townsend, were born subsequent to the war of the rebellion, and claim their right to enrollment as Choctaw freedmen by reason of being descendants of the principal applicant, Emily Fields; that the applicants, Fanny McDonald, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, and Leroy Bryant, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Joanna McDonald; that Jim Townsend claims his right to enrollment by reason of being a descendant of Ellen Townsend; and that Clara, Carrie, Ephriam, Wilburn and Mary Fields , claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Sidney Fields.

It is alleged that said Emily Fields, Sidney Fields, Joanna McDonald and Ellen Townsend (now deceased), who were born prior to the war of the rebellion, were the slaves of Dock (or John) and Clark McCoy, during and at the close of the war of the rebellion.

The preponderance of the evidence, however, shows that the persons above mentioned, were, during and at the close of the war of the rebellion, the slaves of a white man, and resided in the state of Texas at the date of the treaty of Fort Smith.

The record herein further shows that the applicants, Joanna McDonald and Fanny McDonald, died prior to September 25, 1902.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that the applicants, Emily Fields, Sidney Fields, Clara Fields, Rena Paris and Sterling Williams, are identified upon the 1885 Choctaw freedmen census roll, Blue County, numbers 1154, 1163, 1164, 1165 and 1155 respectively. The applicants, Emily Fields, Charley Fields and Madison Fields, are identified upon the 1896 Choctaw freedmen census roll, Blue County, numbers 1452, 1451 and 1441, respectively.

I am, therefore, of the opinion that the applications for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bruant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephriam Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams,

Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields and Mary Belvin as Choctaw freedmen, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats.,495) and July 1, 1902 (32 Stats.,641), and it is so ordered.

I am further of the opinion that the application for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen should be dismissed, and it is so ordered.

(signed) Tams Bixby,
Commissioner.

Muskogee, Indian Territory,

Jul 10 1906.

17-D-81 et al

Muskogee, Indian Territory, July 10, 1906.

Jim Townsend,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying your application for enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Registered.

Incl. 17-D-81 et al.

17-D-128 et al.

Muskogee, Indian Territory, July 10, 1906.

Charles E. McPherren,
Attorney at Law,
Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tam[illegible]

Commissioner.

Incl. 17-D-128 et al.

17-D-128 et al

Muskogee, Indian Territory, July 10, 1906

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denyihg the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fannie McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Incl. 17-D-128 et al.

Muskogee, Indian Territory, July 10, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Kelly Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephraim Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Tarwee Fields, and Mary Melvin as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated July 10, 1906, denying said applications, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

Respectfully,

Tams Bixby
Commissioner

2 Incl. 17-D-125 et al.

Through the
Commissioner of Indian Affairs.

17-D-81.

Muskogee, Indian Territory, August 18, 1904.

Jim Townsend,

Caddo, Indian Territory.

Dear Sir:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, with such witnesses as you may be able to procure, for the purpose of testifying relative to your right to enrollment as a freedman of the Choctaw Nation, or you may appear for this purpose at the general office of the Commission, Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

17-D-128

Muskogee, Indian Territory, November [illegible], 1905.

[illegible] O'Brien,

[illegible], I[illegible] Territory.

[illegible]:

On February [illegible], 1[illegible] you advised this office that [illegible] Emily Fields [illegible] heirs, [illegible] eligible for [illegible] .

[illegible], [illegible] letter [illegible] you, asking for certificate [illegible] enrollment of Emily Fields [illegible] descendants.

[illegible] response has [illegible] received at this office in reply to said request. [illegible] now advised that [illegible] you represent the parties [illegible] mentioned it will be necessary [illegible] additional [illegible] should be furnished in the matter of the enrollment of [illegible] Evidence is requested with respect to [illegible] ownership of Emily Fields at the close of [illegible], [illegible] herself and descendants up to and including September [illegible], 1902.

You should give this matter your prompt attention. If you do not at present represent them you will please inform this office to that effect.

Respectfully,

Acting Commissioner.

17-D-81

Muskogee, Indian Territory, March 5, 1906.

Jim Townsend,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields, and her descendants as Choctaw freedmen with which case the application for your enrollment as a Choctaw freedman has been consolidated.

Respectfully,

Acting Commissioner.

S-61 Choctaw Freedman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
GUTHRIE, I.T., T.T., JUNE 11, 1900.

In the matter of the application of JIM TOWNSEND for enrollment as a Choctaw freedman, said Townsend being sworn, testified as follows: (Sworn by Acting Chairman Bixby.)

By the Commission:
Q What is your name? A Jim Townsend.
Q What is your age? A 21.
Q Where do you live? A I live at Gaddo.
Q What is your postoffice address? A Gaddo.
Q You make application for enrollment as a Choctaw freedman ? A Yes.
Q Where were you born? A At Gaddo.
Q In the Choctaw Nation? A Yes.
Q Have you lived in the Choctaw Nation continuously ever since your birth? A Yes, have never been out of the Choctaw Nation.
Q What is the name of your father? A Isom Townsend.
Q Was your father a slave of a Choctaw Indian? A I don't know.
Q Is your father living? A yes.
Q Where does he live? A In the Chickasaw Nation.
Q At what point? A West of Gaddo in the Choctaw Nation.
Q Close to Wyly postoffice? A Yes.
Q What is the name of your mother? A Ellen Townsend.
Q Is she living? A No sir, she's dead.
Q How long has she been dead? A 4 or 5 years.
Q Was she the slave of a Choctaw Indian? A I don't know.
Q Do you know whether your father was in the Choctaw Nation in September, 1865? A I don't know.
Q Do you know whether your mother was in the Choctaw Nation in September 1865? A I don't know.
Q Have you ever been enrolled by the Choctaw authorities as a Choctaw freedman? A I don't know.

The roll of Choctaw freedmen prepared by the Commissioners of the Choctaw Nation in 1885 is examined and the name of the applicant Jim Townsend is not found thereon.

The roll of Choctaw freedmen prepared by the Choctaw authorities in 1896 is examined and the name of the applicant, Jim Townsend is not found thereon.

Q Do you know whether your father was ever enrolled as a Choctaw freedman? A No sir, I don't know.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in 1885 is examined and the name of Isom Townsend, father of the applicant, is not found thereon.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in 1896 is examined and the name of Isom Townsend, father of the applicant, is not found thereon.

Q What was the name of your mother before she was married? A Ellen Kelley.
Q Was your mother ever enrolled as a Choctaw freedman? A I don't know.

The roll of Choctaw freedmen prepared by the Commissioners of the Choctaw Nation in 1885 is examined and the name of Ellen Kelley, or Ellen Townsend, the mother of the applicant, is not found thereon.

The roll of Choctaw freedmen prepared by the Commissioners of the Choctaw Nation in 1896, is examined and the name of Ellen Kelley, or Ellen Townsend, the mother of the applicant, is not found thereon.

D-61 Choctaw freedmen.
Jim Townsend-R.

Q Are you married? A No sir.
Q You make application for the enrollment of yourself alone ; is that all? A That,s all.

By Mr. Tolle:
Q Is Mary Field your grand-mother? A Yes.
Q On your mother's side? A yes.

Commissioner on behalf of Choctaw Nation requests that the testimony in the matter of the application of Joanna McDonald be considered in connection with the application of Jim Townsend.

By the Commission:
Q Is there any additional ~~testimony~~ statement in regard to your case at this time? A No sir.

You will be permitted to offer any additional evidence in the form of affidavits or statements which you may desire to present. In the event your application for enrollment is denied by this Commission you will be so advised in writing, and any testimony, statements, affidavits or other evidence which may be offerred in your case will be forwarded to the Honorable Secretary of the Interior when the ~~enrolment~~ rolls of Choctaw freedmen are forwarded to him for final approval.

(Further testimony to be submitted by Commissioner on behalf of Choctaw Nation at Muskogee.)

Brown McDonald, being duly sworn by Acting Chairman Bixby, says that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony of the above named witness, and that the foregoing is a full, true and complete transcript of his notes.

Brown McDonald

Sworn to and subscribed before me this 12th day of June, 1900, at Colbert, Ind. ter.

Acting Chairman.

Choc FR D 82 Sidney Fields

FR D 82

Sidney [illegible]

vs

Choctaw Nation

DECISION RENDERED JUL 10 1906

JUL 10 1906

ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS.

JUL

COPY OF DECISION FORWARDED ATTORNEY FOR APPLICANT

JUL

JUL

See also testimony in [illegible]

re No. 79, Choctaw Freedman

ACTION APPROVED BY SECRETARY OF INTERIOR. MAR 4 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. APR 1 9 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEY FOR APPLICANT. APR 1 9 1907

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT. APR 1 9 1907

17-26-128

17-D-82.

Muskogee, Indian Territory, August 18, 1904.

Sidney Fields,

Bokchito, Indian Territory.

Dear Sir:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of giving testimony relative to the rights of yourself and family as Choctaw freedmen, or you may appear for this purpose at the general office of the Commission at Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

17-D-82

Muskogee, Indian Territory, December 9, 1905.

Sidney Fields,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 6, 1905, asking the status as Choctaw freedmen of Emily Fields et al., Sidney Fields, et al., and other claimants under the same head.

In the matter of the application for the enrollment of Emily Fields and her descendants a date will be fixed for the hearing of further testimony and the parties in interest will be notified of the time and place set for the taking of such testimony.

Respectfully,

Acting Commissioner.

17-D-82

Muskogee, Indian Territory, March 5, 1906.

Sidney Fields,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presneted in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen with which case the application for the enrollment of yourself and your five children Clara, Carrie, Ephraim, Wilburn, and Mary Fields as Choctaw freemen has been consolidated.

Respectfully,

Acting Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND. TER., JUNE 11, 1900.

In the matter of the application of Sidney Fields for enrollment as a Choctaw freedman, said Sidney Fields being sworn by Acting Chairman Bixby, testified as follows:

By the Commission:

Q What is your name? A Sidney Fields.
Q You make application for enrollment as a Choctaw freedman? A Yes.
Q Where do you live? A I live a mile south of Bokchito.
Q What is your postoffice address? A Bokchito.
Q How old are you? A 39 years old.
Q Where were you born? A My parents say I was born in Kiamish county.
Q Have you lived in the Choctaw Nation continuously ever since your birth? A I have lived here ever since I can recollect it has been my home.
Q When did you first leave the Choctaw Nation ? I could not tell you that.
Q About how long ago? A I have been out of the Territory off and on about five, six or seven years off and on visiting.
Q Have you ever made your home anywhere except in the Choctaw Nation? A Yes, I have been in Texas.
Q When were you in Texas? A After freedom.
Q How long after you were freed did you go to Texas? A I guess 10 or 12 years.
Q Then you were agrown man when you first went to Texas? A No, not grown.
Q About how long after you were freed was it that you went to Texas to live? A About five years after I was freed. I didn't live in Texas.
Q How long did you stay in Texas on this trip? A One year.
Q What did you do in Texas? A Just bummed around.
Q Did you do any farming? A I hired out and worked by the month and the day.
Q Do you mean to say that you didn't make that your home? A No sir.
Q You considered the Choctaw Nation your home? A Yes sir.
Q When did you next leave the Choctaw Nation? A I cannot tell you the dates of the year.
Q How long after you came back this time? A I guess it was about a year,I went across the river to Arthur City.
Q In Texas? A Yes.
Q How long did you stay in Arthur City? A Abiut two months.
Q Is that the last time you have been out of the Territory? A No, I have been summoned to Paris, Texas, as a witness.
Q How long is it since you have been out of the Choctaw Nation? A I don't know.
Q Have you been out of the Choctaw Nation in the last five years? A I have been to Bonhamto trade.
Q How long did you stay there? A I went one day and came back the next.
Q Is that the only time you have been out of the Choctaw Nation in the last five years? A I have been summoned to the Paris court.
Q You have never lived outof the Choctaw Nation in the last five years? A No sir.
Q Have you ever been before the Dawes Commission as an applicant for enrollment as a Choctaw freedman? A No sir.
Q Were you the slaveof a Choctaw Indian? A I was living here when Dock McCoy put us in . We were the slaves of Choctaw McCoy and Dock McCoy and Jim Spring and Sing Thompson put us in? They claimed

to be our owners and I was married at that time.
Q When was that? A When we were first adopted.
Q About 15 years ago? A I think it was worse than that.
Q Do you swear positivelythat your owner was Dock McCoy or Clark McCoy? A He is the man that claimed that he owned and he is the man that was our witness and put us in on the roll in '85 when adopted by the Choctaw Nation.
Q Were Dock and John McCoy and Jim Spring Choctaw Indians? A Yes, that's what they claimed to be.
Q Do you remember when you were freed? A. No sir.
Q You were too small to know when you were freed? A I guess I was about 8 years old.
Q Do you remember when you were freed? A I can surely recollect when they said we were from under bondage.
Q Where were you living at that time? A Doaksville, Kiamish county.
Q Did you leave the Choctaw Nation within five years from the time you were freed? A I cannot tell you-- I don't remember.
Q Did you leave the Choctaw Nation before you were a grown woman? A I went there to visit before I was grown and stayed a year.
Q Can you tell about how old you were? A No sir.
Q Do you think it was within a year after you were freed that you went to Texas? A I think so-- I wont be positive.
Q What was the name of your father? A James Fields.
Q Was your father the slave of a Choctaw Indian? A No sir, he was a non-citizen.
Q Is your father now living? A Yes.
Q Where does he live? A In Caddo, Indian Territory.
Q What is the name of your mother? A Emiline McCoy-- she is Emiline Fields now .
Q Is she living? A Yes.
Q Where does she live? A In Caddo.
Q Was she the slave of a Choctaw Indian? A That is what they say.
Q Do you know of your own knowledge whether she was a slave of a Choctaw Indian? A No sir, not to my knowledge.
Q Were you in the Choctaw Nation in September, 1865? A Yes.
Q Do you swear positively that you were in the Choctaw Nation in September, 1865? A Yes.
Q At what point in the Choctaw Nation did you live in September, 1865? A I could not tell you. I stayed in Pauls Valley awhile at that time, I do not know but I was here, but know what point I can't tell you.
Q Then you swear that you were here in September, 1865, but you do not know in what point you used to live? A No sir, I don't know.
Q Do you know whether your mother was in the Choctaw Nation in September, 1865? A No sir, I don't know.
Q Have you ever been enrolled by the authorities of the Choctaw Nation as a Choctaw freedman? A Yes.
Q When? A I don't know the day of the month, but it's there.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in the year, 1885, is examined and the name of the applicant, Sidney Field, appears thereon, the same being No. 1163 page 36, shown to have been the slave of John C. McCoy.

The roll of Choctaw freedmen prepared by the Choctaw authorities in the year 1896 is examined and the name of the applicant, Sidney Fields, is not found thereon.

Q Was your father ever enrolled as a Choctaw freedman by the Choctaw authorities? A No sir.
Q Was your mother ever enrolled by the Choctaw authorities as a Choctaw freedman? A Yes.

Choctaw Freedmen-D-82.
Sidney Fields-3.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in 1885 is examined and the name of Emily Fields appears thereon on page 36, same being 1154, shown to have been the slave of Jon Clark McCoy.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in 1896 is examined and the name of Emily Fields appears thereon ~~xxxxxxx~~ page ~~xx~~, same being number 1452, Blue county.

Q Are you married? A Yes.
Q What is the name of your wife? A Mattie Fields.
Q What was her name before she was married? A Mattie Anderson.
Q How old is Mattie? A She's about 26 years old.
Q Is she a Choctaw freedman? A No sir.
Q Is she a citizen of the United States? A Yes.
Q When were you married to Mattie Anderson, your present wife?
A. I cannot say.
Q About when? A I guess it has been about 18 years ago.
Q How old was she when you were married to her? A I don't know.
Q Was she a grown woman? A She was about 16 years old.
Q Then she must be older than 26 years old now? A Yes, I suppose she is now.
Q How old do you think she is now? A She is about 28 years old.
Q Where were you married to her? A In Caddo.
Q Who married you? A Parson Smith.
Q A minister of the gospel? A Yes.
Q Who was present? A Mary Velvin (Belvin?) and Mary Williams.
Q Have you your marriage license or certificate? A I haven't got them with me-- they are at home at Caddo.
Q Have you any children? A yes.
Q By your present wife? A Yes.
Q Give the name of those living? A The eldest one is Clara going on 16 years old.
Q The next one? A Carrie, she's going on 13.
Q What's the next one named? A Ephriam, 10 years old.
Q What's the next one? A Wilburn.
Q How old is Wilburn? A He is 8.
Q What's the next one? A Mary, 3 years old.
Q These children are all living? A Yes.
Q Are they living with you at home? A Yes.
Q Is your present wife, Mattie, the mother of all these children?
A Yes.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in the year, 1885, is examined, and the name of Clara Fields, daughter of the applicant, found thereon, page 36, being No. 1164. The names of the other children of the applicant are not found thereon.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in the year, 1896, is examined and neither the name of applicant, Sidney Fields, nor those of his children are found thereon.

Q You make application for the enrollment of yourself and your children, Clara, Carrie, Ephriam, Wilburn and Mary, for enrollment as Choctaw freedmen? A Yes.
Q Have you ever been enrolled more than once? A No sir.
Q Is there any additional statement in regard to your case that you desire to make at this time? A I have been living here all my life, voting and living according to Choctaw laws, and never made any other place besides this my home.

By Commissioner Tolle:

I would ask that the statement of Peter Maytubby in case of Joanna McDonald be made applicable to this case. Further evidence to be furnished at Muskogee.

Choctaw Freedman- D-82.
Sidney Fields-4.

You will be permitted to furnish additional evidence in the form of affidavits or statements which you may desire to present. In the event that the Commission denies the application of yourself or any of the members of your family for whom you have made application, you will be so advised in writing, and any statements, testimony or other evidence which may be offered in your case, will be forwarded to the Honorable Secretary of the Interior when the rolls of Choctaw freedmen are forwarded to him for final approval.

Brown McDonald, being sworn by Acting Chairman Bixby, says that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony of the above named witness, and that the foregoing is a full, true and correct transcription of his notes.

Brown McDonald

Sworn to and subscribed before me this 13th day of June, 1900, at Colbert, Indian Territory.

Acting Chairman.

O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Emily Fields, et al. as Choctaw freedmen, consolidating the applications of

Emily Fields	17 D 126
Joanna McDonald, et al.	17 D 79
Robert Townsend	17 D 169
Viney Nail, et al.	17 D 172
Eveline Bryant, et al.	17 D 80
Jim Townsend	17 D 81
Sidney Fields, et al.	17 D 82
Rena Paris	17 D 83
Sterling Williams, et al.	17 D 84
Charley Fields, et al.	17 D 85
Madison Fields, et al.	17 D 86
Alexander Fields	17 D 87
Horace Fields	17 D 88
Mary Belvin	17 R 10

D E C I S I O N .

It appears from the census card records in this case that on August 24, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Emily Fields as a Choctaw freedman; that on June 11, 1900, applications were made to said Commission for enrollment as Choctaw freedmen by Joanna McDonald for her self and her four minor children, Fanny, Lennie, Paralee and Cleveland McDonald; by Eveline Bryant for herself and her two minor children, Oscar Osborne and Leroy Bryant; by Jim Townsend for himself; by Sidney Fields for himself and his five minor children, Clara, Carrie, Ephriam, Wilburn and Mary Fields; by Rena Paris for herself; and by Sterling Williams for himself and his two minor children, Lewis and Virdie Williams; that on June 12, 1900, applications were made by Charley Fields for the enrollment of himself and his two minor children, Clifton and Willy Fields; by Madison Fields for himself and his minor child, Emma Fields; by Alexander Fields for himself and by Horace Fields for himself as Choctaw freedmen; that on November 20, 1902, application was made by Robert Townsend for the enrollment of himself; that on November 21, 1902, application was made by Viney Nail for the enrollment of herself and her minor nephew and niece, Ed and Virgie Stevens; and that on August 22, 1899, application was made by Mary Belvin for the enrollment of herself as a Choctaw freedman.

It appears from the records in the possession of this office that Virdie Williams, minor applicant in 17 D 84, has heretofore been enrolled as a Choctaw freedman, her name (as Odessa May Williams) appearing as number 3430 upon a list prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats.,641), of persons entitled to enrollment as Choctaw freedmen, and approved by the Secretary of the Interior September 26, 1903.

It further appears from the record herein and from the census card records in this case that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Charley Fields and Rena Paris are the children of the applicant, Emily Fields, and Eugene Fields, a non-citizen; that Emma Fields is the daughter of the applicant, Madison Fields, and Frances Fields, a non-citizen; that Clifton and Willy Fields are the children of the applicant,

Charley Fields, and Biddy Fields, a non-citizen; that Lewis Williams is the son of the applicant, Sterling Williams, and Nattie Williams, a non-citizen; that Fanny, Lennie, Paralee and Cleveland McDonald and Viney Hall are the children of the applicant, Joanna McDonald, and Andy McDonald, a non-citizen; that Robert Townsend is the son of the applicant, Joanna McDonald, and Isom Townsend, a non-citizen; that Ed and Virgie Stevens are the children of Will Stevens, a non-citizen, and Lou Stevens (now deceased, and born subsequent to the war), who was the daughter of the applicant, Joanna McDonald, and Andy McDonald, above mentioned; that Eveline Bryant is the daughter of the applicant, Joanna McDonald, and John Williams, a non-citizen; that Oscar Osborne is the son of said Eveline Bryant and Cornelius Osborne, a non-citizen; that Leroy Bryant is the son of Eveline Bryant and Russell Bryant, a non-citizen; that Jim Townsend is the son of Isom Townsend, a non-citizen, and Ellen Townsend (now deceased); and that Clara, Carrie, Ephriam, Wilburn and Mary Fields are the ~~children of the applicant, Sidney Fields, and Nattie Fields, a non-~~citizen.

It further appears from the record herein that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Rena Fields, Charley Fields, Clifton Fields, Will Fields, Sterling Williams, Lewis Williams, Rena Paris and Robert Townsend, were born subsequent to the war of the rebellion, and claim their right to enrollment as Choctaw freedmen by reason of being descendants of the principal applicant, Emily Fields; that the applicants, Fanny McDonald, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Viney Hall, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, and Leroy Bryant, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Joanna McDonald; that Jim Townsend claims his right to enrollment by reason of being a descendant of Ellen Townsend; and that Clara, Carrie, Ephriam, Wilburn and Mary Fields, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Sidney Fields.

It is alleged that said Emily Fields, Sidney Fields, Joanna McDonald and Ellen Townsend (now deceased), who were born prior to the war of the rebellion, were the slaves of Dock (or John) and Clark McCoy, during and at the close of the war of the rebellion.

The preponderance of the evidence, however, shows that the persons above mentioned, were, during and at the close of the war of the rebellion, the slaves of a white man, and resided in the state of Texas at the date of the treaty of Fort Smith.

The record herein further shows that the applicants, Joanna McDonald and Fanny McDonald, died prior to September 25, 1902.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that the applicants, Emily Fields, Sidney Fields, Clara Fields, Rena Paris and Sterling Williams, are identified upon the 1885 Choctaw freedmen census roll, Blue County, numbers 1154, 1163, 1164, 1165 and 1155 respectively. The applicants, Emily Fields, Charley Fields and Madison Fields, are identified upon the 1896 Choctaw freedmen census roll, Blue County, numbers 1452, 1451 and 1441, respectively.

I am, therefore, of the opinion that the applications for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Hall, Ed Stevens, Virgie Stevens, Eveline Bruant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephriam Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams,

Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields and Mary Belvin as Choctaw freedmen, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats.,495) and July 1, 1902 (32 Stats.,641), and it is so ordered.

I am further of the opinion that the application for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen should be dismissed, and it is so ordered.

(signed) Tams Bixby,
Commissioner.

Muskogee, Indian Territory,

July 10 1906.

17-D-82 et al

Muskogee, Indian Territory, July 10, 1906.

Sidney Fields,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of yourself, Clara, Carrie, Ephraim, Wilburn and Mary Fields as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Registered.

Incl. 17-D-82 et al.

17-D-128 et al.

Muskogee, Indian Territory, July 10,1906

Charles E. McPherren,

Attorney at Law,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioher to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Incl. 17-D-128 et al.

17-D-128 et al

Muskogee, Indian Territory, July 10, 1906

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fannie McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Incl. 17-D-128 et al.

Muskogee, Indian Territory, July 10, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephraim Fields, Wilburn Fields, Mary Fiel s, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields, and Mary Belvin as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated July 10, 1906, denying said applications, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

Respectfully,

SIGNED
Tams Bixby
Commissioner.

2 Incl. 17-D-128 et al.

Through the
Commissioner of Indian Affairs.

Choc FR D 83 Rena Paris

FR D 83

Choctaw Nation

JUL 10 1906

DECISION RENDERED.

REFUSED JUL 10 1906

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS. JUL 10 1906

COPY OF DECISION FORWARDED
ATTORNEY FOR APPLICANT JUL 10 1906

See also testimony in
re Choctaw Fr. No D 79.

COPY OF DECISION FORWARDED
APPLICANT JUL 1 1906

RECORD FORWARDED DEPARTMENT.
JUL 1 1906

ACTION APPROVED BY
SECRETARY OF INTERIOR.
MAR 4 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. APR 1 9 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT APR 1 9 1907

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT. APR 1 9 1907

17-20-12

O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Emily Fields, et al. as Choctaw freedmen, consolidating the applications of

Emily Fields	17 D 128
Joanna McDonald, et al.	17 D 79
Robert Townsend	17 D 169
Viney Nail, et al.	17 D 172
Eveline Bryant, et al.	17 D 80
Jim Townsend	17 D 81
Sidney Fields, et al.	17 D 82
Rena Paris	17 D 83
Sterling Williams, et al.	17 D 84
Charley Fields, et al.	17 D 85
Madison Fields, et al.	17 D 86
Alexander Fields	17 D 87
Horace Fields	17 D 88
Mary Belvin	17 R 10

D E C I S I O N .

It appears from the census card records in this case that on August 24, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Emily Fields as a Choctaw freedman; that on June 11, 1900, applications were made to said Commission for enrollment as Choctaw freedmen by Joanna McDonald for herself and her four minor children, Fanny, Lennie, Paralee and Cleveland McDonald; by Eveline Bryant for herself and her two minor children, Oscar Osborne and Leroy Bryant; by Jim Townsend for himself; by Sidney Fields for himself and his five minor children, Clara, Carrie, Ephriam, Wilburn and Mary Fields; by Rena Paris for herself; and by Sterling Williams for himself and his two minor children, Lewis and Virdie Williams; that on June 12, 1900, applications were made by Charley Fields for the enrollment of himself and his two minor children, Clifton and Willy Fields; by Madison Fields for himself and his minor child, Emma Fields; by Alexander Fields for himself and by Horace Fields for himself as Choctaw freedmen; that on November 20, 1902, application was made by Robert Townsend for the enrollment of himself; that on November 21, 1902, application was made by Viney Nail for the enrollment of herself and her minor nephew and niece, Ed and Virgie Stevens; and that on August 22, 1899, application was made by Mary Belvin for the enrollment of herself as a Choctaw freedman.

It appears from the records in the possession of this office that Virdie Williams, minor applicant in 17 D 84, has heretofore been enrolled as a Choctaw freedman, her name (as Odessa May Williams) appearing as number 3430 upon a list prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats.,641), of persons entitled to enrollment as Choctaw freedmen, and approved by the Secretary of the Interior September 26, 1903.

It further appears from the record herein and from the census card records in this case that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Charley Fields and Rena Paris are the children of the applicant, Emily Fields, and Eugene Fields, a non-citizen; that Emma Fields is the daughter of the applicant, Madison Fields, and Frances Fields, a non-citizen; that Clifton and Willy Fields are the children of the applicant,

Charley Fields, and Biddy Fields, a non-citizen; that Lewis Williams is the son of the applicant, Sterling Williams, and Hattie Williams, a non-citizen; that Fanny, Lennie, Paralee and Cleveland McDonald and Viney Nail are the children of the applicant, Joanna McDonald, and Andy McDonald, a non-citizen; that Robert Townsend is the son of the applicant, Joanna McDonald, and Isom Townsend, a non-citizen; that Ed and Virgie Stevens are the children of Will Stevens, a non-citizen, and Lou Stevens (now deceased, and born subsequent to the war), who was the daughter of the applicant, Joanna McDonald, and Andy McDonald, above mentioned; that Eveline Bryant is the daughter of the applicant, Joanna McDonald, and John Williams, a non-citizen; that Oscar Osborne is the son of said Eveline Bryant and Cornelius Osborne, a non-citizen; that Leroy Bryant is the son of Eveline Bryant and Russell Bryant, a non-citizen; that Jim Townsend is the son of Isom Townsend, a non-citizen, and Ellen Townsend (now deceased); and that Clara, Carrie, Ephriam, Wilburn and Mary Fields are the children of the applicant, Sidney Fields, and Mattie Fields, a non-citizen.

It further appears from the record herein that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Emma Fields, Charley Fields, Clifton Fields, Willy Fields, Sterling Williams, Lewis Williams, Rena Paris and Robert Townsend, were born subsequent to the war of the rebellion, and claim their right to enrollment as Choctaw freedmen by reason of being descendants of the principal applicant, Emily Fields; that the applicants, Fanny McDonald, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, and Leroy Bryant, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Joanna McDonald; that Jim Townsend claims his right to enrollment by reason of being a descendant of Ellen Townsend; and that Clara, Carrie, Ephriam, Wilburn and Mary Fields , claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Sidney Fields.

It is alleged that said Emily Fields, Sidney Fields, Joanna McDonald and Ellen Townsend (now deceased), who were born prior to the war of the rebellion, were the slaves of Dock (or John) and Clark McCoy, during and at the close of the war of the rebellion.

The preponderance of the evidence, however, shows that the persons above mentioned, were, during and at the close of the war of the rebellion, the slaves of a white man, and resided in the state of Texas at the date of the treaty of Fort Smith.

The record herein further shows that the applicants, Joanna McDonald and Fanny McDonald, died prior to September 25, 1902.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that the applicants, Emily Fields, Sidney Fields, Clara Fields, Rena Paris and Sterling Williams, are identified upon the 1885 Choctaw freedmen census roll, Blue County, numbers 1154, 1163, 1164, 1165 and 1155 respectively. The applicants, Emily Fields, Charley Fields and Madison Fields, are identified upon the 1896 Choctaw freedmen census roll, Blue County, numbers 1452, 1451 and 1441, respectively.

I am, therefore, of the opinion that the applications for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bruant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephriam Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams,

Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields and Mary Belvin as Choctaw freedmen, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats.,495) and July 1, 1902 (32 Stats.,641), and it is so ordered.

I am further of the opinion that the application for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen should be dismissed, and it is so ordered.

(signed) Tams Bixby,
Commissioner.

Muskogee, Indian Territory,

Jul 10 1906.

17-D-83 et al.

Muskogee, Indian Territory, July 10, 1906.

C.

Rena Paris,

Bokchito, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying your application for enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.

Incl. 17-D-83 et al.

17-D-128 et al.

Muskogee, Indian Territory, July 10,1906

Charles E. McPherren,
Attorney at Law,
Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby
Commissioner.

Incl. 17-D-128 et al.

17-D-128 et al

Muskogee, Indian Territory, July 10, 1906

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denyihg the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fannie McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Incl. 17-D-128 et al.

Muskogee, Indian Territory, July 10, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Caroline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephraim Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields, and Mary Belvin as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated July 10, 1906, denying said applications, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

Respectfully,

Commissioner.

2 Incl. 17-D-128 et al.

Through the
Commissioner of Indian Affairs.

17-D-83.

Muskogee, Indian Territory, August 18, 1904.

Rena Paris,

Bokchito, Indian Territory.

Dear Madam:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of giving testimony relative to your right to enrollment as a freedman of the Choctaw Nation, or you may appear at the general office of the Commission, Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

17-D-128

Muskogee, Indian Territory, November 27, 1905.

Charles E. McPherren,

Caddo, Indian Territory.

Dear Sir:

On February 25, 1905 you advised this office that you were the attorney for Emily Fields and her descendants, who are applicants for enrollment as Choctaw Freedmen. On March 1, 1905 a letter was addressed to you, asking for certain evidence relative to the enrollment of said Emily Fields and her descendants.

No response has been received at this office in reply to said request. You are now advised that in case you represent the parties above mentioned it will be necessary that additional evidence should be furnished in the matter of the enrollment of said parties. Evidence is requested with respect to the ownership of Emily Fields at the close of the war, the residence of herself and descendants up to and including September 25, 1902.

You should give this matter your prompt attention. If you do not at present represent them you will please inform this office to that effect.

Respectfully,

Acting Commissioner.

17-D-83

Muskogee, Indian Territory, March 5, 1906.

Rena Paris,

Bokchito, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields, and her descendants as Choctaw freedmen which which case the application for your enrollment as a Choctaw freedman has been consolidated.

Respectfully,

Acting Commissioner.

Choctaw Freedman D-83.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND., TER., JUNE 11, 1900.

In the matter of the application for enrollment as a Choctaw freedman of Rena Paris, said Rena Parris being sworn by Acting Chairman Bixby, testified:

Q Please state your name? A Rena Paris.
Q You make application for enrollment as a Choctaw freedman? A Yes.
Q Have you ever appeared before this Commission as an applicant for enrollment as a Choctaw freedman before? A No sir.
Q What is your age? A I don't know.
Q About what? Were you born before the war or after the war? After the slaves were freed? A Yes.
Q About how long after were you born? A I don't know.
Q Do you think you are about 30 years old? A I might be-- I don't know.
Q What is your postoffice address? A Bokchito.
Q Where do you live? A I live down there.
Q Near Bokchito in the Choctaw Nation? A yes.
Q Where were you born? A Kiamish county in the Choctaw Nation.
Q Have you lived in the Choctaw Nation ever since your birth? A Yes.
Q You never were out of the Choctaw Nation? A No sir.
Q You were born since the slaves were freed? A yes.
Q What was the name of your father? A Eugene Fields.
Q Was your father the slave of a Choctaw Indian? A I don't know.
Q Is your father now living? A Yes.
Q Where does he live? A Caddo, Choctaw Nation.
Q What is your mother's name? A Emiline Fields? A
Q Is she living? A Yes.
Q Where does she live? A Caddo.
Q She was the slave of a Choctaw Indian? A Yes.
Q What was the name of her master? A Clark McCoy.
Q How do you know that she was the slave of that Clark McCoy? A That was what my mother told me.
Q Was your mother living in the Choctaw Nation in September 1865, or do you know? A I don't know.
Q Do you know whether your father was living in the Choctaw Nation in September, 1865? A I cannot tell you.
Q Have you ever been enrolled by the authorities of the Choctaw Nation as a Choctaw freedman? A I have been adopted. I reckon that is the same thing.
Q When were you adopted? A When they were around adopting people- I was adopted then.
Q How long ago? A I don't know.
Q Did you ever go by the name of Williams? A Yes.
Q How did you come to go by the name of Williams? A I was married to a man by the name of Williams.

The roll of Choctaw freedmen prepared by the Choctaw authorities in the year 1885 examined and the name of Irrena Williams appears thereon on page 36, being 1165, the records showing her to be the slave of John G. McCoy.

The roll of Choctaw freedmen prepared by authority of the Choctaw Nation in 86 is examined and the name of the applicant, Rena Paris or Williams, not found thereon.

Q In what county and district were you enrolled? A Enrolled at Caddo.
Q Was your father ever enrolled as a Choctaw freedman? A No sir.

The rolls of Choctaw freedmen prepared by the tribal authorities of the Choctaw Nation in 1885 examined and the name of Eugene Fields not found thereon.

Choctaw Freedman- D83.
Rena Paris-2.

The rolls of Choctaw freedmen prepared by the tribal authorities of the Choctaw Nation in 1896 examined and the name of Eugene Fields not found thereon.

Q Was your mother ever enrolled as a Choctaw freedman? A Yes, at Caddo.

The roll of Choctaw freedman prepared by the authorities of the Choctaw Nation of the year 1885 examined and the name of Emila Fields appears thereon, page 36, being No. 1154, shown to have been the slave of John Clark McCoy.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in the year 1896 is examined and the name of Emily Fields appears thereon in Blue county, being number 1452?

Q Have you ever been married? A Yes.
Q Who was your first husband? A My first husband was George Reed.
Q Have you any children by George Reed? A I had one child by him.
Q Is it living? A No sir, it is dead.
Q What is the name of your second husband? A Jim Williams.
Q Have you had any children by Jim Williams? A No sir.
Q Is he a citizen? A yes.
Q And is he living? A No sir he is dead.
Q Is your first husband living or dead? A He is living. We are divorced.
Q Have you been married since your marriage to Williams? A Yes, I have been married a third time.
Q What was the name of your third husband? A Turner parks.
Q Is he living? A Yes.
Q Is he a citizen? A No sir, he is a non-citizen.
Q Have you any children by Turner Parks? A No sir.
Q Then you make application for yourself only as a Choctaw freedman? A Yes.
Q Is there any additional statement in regard to your case that you desire to make at this time? A I don't know of any.

You will be permitted to offer any additional evidence in the form of affidavits or statements which you may desire to present. In the event that the Commission denies your application for enrollment as a Choctaw freedman you will be so advised in writing. Any testimony, statements or affidavits or other evidence which you may offer in your case will be forwarded to the Honorable Secretary of the Interior when the rolls of Choctaw freedmen are forwarded to him for final approval.

Statement by Mr. Tello:

The Choctaw Nation would ask that the statement of Peter Maytubby made in the case of Joanna McDonald of this date, may be made applicable to this case. Further evidence to be furnished at Muskogee by the Choctaw Nation.

Brown McDonald, being sworn by Acting Chairman Bixby, says that he as Stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony of the above named witness, and that the foregoing is a true, full and correct transcription of his notes.

Brown McDonald

Sworn to and subscribed before me this 13th day of June, 1900, at Max Colbert, Indian Territory.

Acting Chairman.

Choc FR D 84 Sterling Williams

FR D 84

Sterling Meacham

vs

Choctaw Nation

JUL

JUL 10 1906

1906

COPY OF DECISION FORWARDED

See also Testimony in

Choctaw Fr. No. D-79.

(GOF)

JUL 10 1906

JUL 1 1906

ACTION APPROVED BY

SECRETARY OF INTERIOR

MAR 1 190

NOTICE OF DEPARTMENTAL ACTION

FORWARDED ATTORNEYS FOR CHOCTAW

AND CHICKASAW NATIONS.

APR 1 9 1907

NOTICE OF DEPARTMENTAL ACTION

FORWARDED ATTORNEY FOR APPLICANT.

APR 1 9 1907

NOTICE OF DEPARTMENTAL

ACTION FORWARDED APPLICANT.

APR 2 0 1907

17-2-1-8

O.L.J.

O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Emily Fields, et al., as Choctaw freedmen, consolidating the applications of

Emily Fields	17 D 128
Joanna McDonald, et al.	17 D 79
Robert Townsend	17 D 169
Viney Nail, et al	17 D 172
Eveline Bryant, et al	17 D 80
Jim Townsend	17 D 81
Sidney Fields, et al.	17 D 82
Rena Paris	17 D 83
Sterling Williams, et al.	17 D 84
Charley Fields, et al.	17 D 85
Madison Fields, et al.	17 D 86
Alexander Fields	17 D 87
Horace Fields	17 D 88
Mary Belvin	17 R 10

D E C I S I O N.

It appears from the census card records in this case that on August 24, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Emily Fields as a Choctaw freedman; that on June 11, 1900, applications were made to said Commission for enrollment as Choctaw freedmen by Joanna McDonald for herself and her four minor children, Fanny, Lennie, Paralee and Cleveland McDonald; by Eveline Bryant for herself and her two minor children, Oscar Osborne and Leroy Bryant; by Jim Townsend for himself; by Sidney Fields for himself and his five minor children, Clara, Carrie, Ephriam, Wilburn and Mary Fields; by Rena Paris for herself; and by Sterling Williams for himself and his two minor children, Lewis and Virdie Williams; that on June 12, 1900, applications were made by Charley Fields for the enrollment of himself and his two minor children, Clifton and Willy Fields; by Madison Fields for himself and his minor child, Emma Fields; ~~by Madison Fields for himself and his~~ minor child, Emma Fields; by Alexander Fields for himself and by Horace Fields for himself as Choctaw freedmen; that on November 20, 1902, application was made by Robert Townsend for the enrollment of himself; that on November 21, 1902, application was made by Viney Nail for the enrollment of herself and her minor nephew and niece, Ed and Virgie Stevens; and that on August 22, 1899, application was made by Mary Belvin for the enrollment of herself as a Choctaw freedman.

It appears from the records in the possession of this office that Virdie Williams, minor applicant in 17 D 84, has heretofore been enrolled as a Choctaw freedman, her name (as Odessa May Williams) appearing as number 3430 upon a list prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats.,641), of persons entitled to enrollment as Choctaw freedmen, and approved by the Secretary of the Interior September 26, 1903.

It further appears from the record herein and from the census card records in this case that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Charley Fields and Rena Paris are the children of the applicant, Emily Fields, and Eugene Fields, a non-citizen; that Emma Fields is the daughter of the applicant, Madison Fields, and Frances Fields, a non-citizen; that Clifton and Willy Fields are the children of the applicant, Charley Fields, and Biddy Fields, a non-citizen; that Lewis Williams is the son of the applicant, Sterling Williams, and Hattie Williams, a non-citizen; that Fanny , Lennie, Paralee and Cleveland McDonald and Viney Nail are the children of the applicant, Joanna McDonald, and Andy McDonald, a non-citizen; that Robert Townsend is the son of the applicant, Joanna McDonald, and Isom Townsend, a non-citizen; that Ed and Virgie Stevens are the children of Will Stevens, a non-citizen, and Lou Stevens (now deceased, and born subsequent to the war), who was the daughter of the applicant, Joanna McDonald, and Andy McDonald, above mentioned; that Eveline Bryant is the daughter of the applicant, Joanna McDonald, and John Williams, a non-citizen; that Oscar Osborne is the son of said Eveline Bryant and Cornelius Osborne, a non-citizen; that Leroy Bryant is the son of Eveline Bryant and Russell Bryant, a non-citizen; that Jim Townsend is the son of Isom Townsend, a non-citizen, and Ellen Townsend (now deceased - and that Clara, Carrie, Ephriam, Wilburn and Mary Fields are the children of the applicant, Sidney Fields, and Mattie Fields, a non-citizen.

It further appears from the record herein that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Emma Fields, Charley Fields, Clifton Fields, Willy Fields, Sterling Williams, Lewis Williams, Rena Paris and Robert Townsend, were born subsequent to the war of the rebellion, and claim their right to enrollment as Choctaw freedmen by reason of being descendants of the principal applicant, Emily Fields; that the applicants, Fanny McDonald, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, and Leroy Bryant, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Joanna McDonald; that Jim Townsend claims his right to enrollment by reason of being a descendant of Ellen Townsend; and that Clara, Carrie, Ephriam, Wilburn and Mary Fields, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Sidney Fields.

It is alleged that said Emily Fields, Sidney Fields, Joanna McDonald and Ellen Townsend (now deceased), who were born prior to the war of the rebellion, were the slaves of Dock (or John) and Clark McCoy, during and at the close of the war of the rebellion.

The preponderance of the evidence, however, shows that the persons above mentioned, were, during and at the close of the war of the rebellion, the slaves of a white man, and resided in the state of Texas at the date of the treaty of Fort Smith.

The record herein further shows that the applicants, Joanna McDonald and Fanny McDonald, died prior to September 25, 1902.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that the applicants, Emily Fields, Sidney Fields, Clara Fields, Rena Paris and Sterling Williams, are identified upon the 1885 Choctaw freedmen

census roll, Blue County, numbers 1154, 1163, 1164, 1165 and 1155, respectively. The applicants, Emily Fields, Charley Fields and Madison Fields, are identified upon the 1896 Choctaw freedmen census roll, Blue County, numbers 1452, 1451 and 1441, respectively.

I am, therefore, of the opinion that the applications for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephriam Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, AlexanderFields, Horace Fields and Mary Belvin as Choctaw freedmen, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats.,495) and July 1, 1902 (32 Stats.,641), and it is so ordered.

I am further of the opinion that the application for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen should be dismissed, and it is so ordered.

(Signed) Tams Bixby,
Commissioner

Muskogee, Indian Territory,

Jul 10 1906.

17-D-84 et al.

Muskogee, Indian Territory, July 10, 1906.

Sterling Williams,

Bokchito, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for enrollment of yourself and Lewis Williams as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.

Incl. 17-D-84 et al.

17-D-128 et al.

Muskogee, Indian Territory, July 10,1906

Charles E. McPherren,
Attorney at Law,
Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Incl. 17-D-128 et al.

Commissioner.

17-D-128 et al

Muskogee, Indian Territory, July 10, 1906

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fannie McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Incl. 17-D-128 et al.

Muskogee, Indian Territory, July 10, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephraim Fields, Wilburn Fields, Mary Fiel s, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields, and Mary Belvin as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated July 10, 1906, denying said applications, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

Respectfully,

Commissioner.

2 Incl. 17-D-128 et al.

Through the
Commissioner of Indian Affairs.

17-843
17- D- 84

Muskogee, Indian Territory, October 28, 1902.

Drusilla Williams,

Bokchito, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of the application for enrollment as a Choctaw freedman of Odessa May Williams, infant daughter of Sterling and Drusilla Williams, born November 23, 1899; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a Choctaw freedman.

You are requested to furnish the Commission with either the original marriage license and certificate, or certified copy thereof, between yourself and Sterling Williams.

This matter should be given immediate attention.

Respectfully,

Acting Chairman.

Choctaw
Freedman D 84

Muskogee, Indian Territory, May 25, 1903.

Sterling Williams,

Bokchito, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 19th, in which you state that some three months ago you sent application for the enrollment of Lewis and Magdoline Williams and ask to be informed what disposition was made with these applications. You also state that there are three children of your wife for whom you desire to make application for allotment and ask if you will be permitted to do so.

In reply to your letter you are advised that it appears from our records that Sterling Williams and his son Lewis Williams have been listed among the doubtful claimants to enrollment as Choctaw freedmen and their final rights to such enrollment have not yet been determined.

It does not appear from our records that application has been made to this Commission for the enrollment of Magdoline Williams as ~~a Choctaw freedman~~.

Relative to the children of your wife for whom you desire to select allotment you are informed that you do not state the name of your wife or the names of her children and it is therefore impos-

sible to give you any information relative to their enrollment and allotment.

Respectfully,

Commissioner in Charge.

17- D 84

Muskogee, Indian Territory, November 30, 1903.

Sturling Williams,

Bokohito, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 19, asking the status of the enrollment of yourself and your son.

In reply to your letter you are informed that the Commission has not yet passed upon the application of Sterling Williams for the enrollment of himself and his son, Lewis Williams, as Choctaw Freedmen. As soon as a decision is reached in this case you will be notified of the action taken therein.

Respectfully,

Chairman.

17-D-84.

Muskogee, Indian Territory, August 18, 1904.

Sterling Williams,

Pokchito, Indian Territory.

Dear Sir:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9,1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of giving testimony relative to the rights of yourself and child as freedmen of the Choctaw Nation, or you may appear for this purpose at the general office of the Commission, Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

17-D-84

Muskogee, Indian Territory, February 14, 1905.

Sterling Williams,

Bokchito, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 9, 1905, asking if you and your children Lewis and Magaline Williams are enrolled as Choctaw freedmen.

In reply to your letter you are informed that the Commission has not yet passed upon the application for the enrollment of Sterling Williams and his children Lewis and Magaline Williams as Choctaw freedmen. When a decision is reached you will be notified of the action taken.

Respectfully,

Chairman.

17-D-84

Muskogee, Indian Territory, February, 25, 1905.

Sterling Williams,

Bokchito, Indian Territory.

Dear Sir:

Receipt is herebt acknowledged of your letter of the 23rd instant, requesting to be advised relative to the enrollment of your self and your minor children Lewis and Magline Williams.

You are advised that the Commission has ot yet passed upon the rights to enrollment as Choctaw freedmen of Sterling Williams and his minor son Lewis Williams. If you will again communicate with this Commission at the expiration of ninety days you will be further advised in the matter.

You are also informed it does not appear that any application has been made for the enrollment of Magline Williams as a Choctaw freedman.

Respectfully,

Chairman.

Choctaw Freedmen
D---84.

Muskogee, Indian Territory, April 20, 1905.

Sterling Williams,

Bokchito, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 30, asking if you can file for yourself and your children.

In reply to your letter you are advised that the Commission has not yet passed upon your application for enrollment as a Choctaw freedman, but when a decision is reached in this case you will be notified of the action taken therein.

Respectfully,

Chairman.

Choctaw Freedman
D 84

Muskogee, Indian Territory, June 27, 1905.

Sterling Williams,

Bokchito, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of June 22, asking if you and your children, Lewis and Magline Williams, have been approved.

In reply to your letter you are advised that the Commission has not yet passed upon the application for the enrollment of Sterling Williams and his child, Lewis Williams, as Choctaw freedmen, but as soon as a decision is reached in this case you will be notified of the action taken therein.

Referring to your child, Magaline Williams, you are advised that the application for the enrollment of this child was not received by the Commission until December 26, 1902, two days after the expiration of the time within which the Commission was authorized to receive and consider applications for enrollment under the provisions of the act of Congress approved July 1, 1902.

Respectfully,

Chairman.

17DF4

17-D-128

Muskogee, Indian Territory, November 27, 1905.

Charles E. McPherren,

Caddo, Indian Territory.

Dear Sir:

On February 25, 1905 you advised this office that you were the attorney for Emily Fields and her descendants, who are applicants for enrollment as Choctaw Freedmen. On March 1, 1905 a letter was addressed to you, asking for certain evidence relative to the enrollment of said Emily Fields and her descendants.

No response has been received at this office in reply to said request. You are now advised that in case you represent the parties above mentioned it will be necessary that additional evidence should be furnished in the matter of the enrollment of said parties. Evidence is requested with respect to the ownership of Emily Fields at the close of the war, the residence of herself and descendants up to and including September 25, 1902.

You should give this matter your prompt attention. If you do not at present represent them you will please inform this office to that effect.

Respectfully,

Acting Commissioner.

17-D-84

Muskogee, Indian Territory, January 31, 1906.

Sterling Williams,

Bokchito, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of January 24, 1906, in which you ask if further evidence is necessary in the matter of the application for the enrollment of yourself, Lewis Williams and Magaline Williams, as Choctaw freedmen.

In reply to your letter you are advised that this case has been consolidated with the application of Emily Field et al for enrollment as Choctaw freedmen, and it appearing that Charles E. McPherren was attorney for the applicants in this case, a letter was addressed to him on November 27, 1905, advising him that additional evidence was necessary, and on December 6, 1905, a letter was received from him stating that he would forward the additional evidence in this case as early as possible and he was advised in response to this letter that such evidence as was submitted in this case should be forwarded at the earliest practicable date in order that disposition might be made of the application.

S W #2

You are further advised that the application for the enrollment of your child, Magaline Williams, was not received within the time provided by the act of Congress approved July 1, 1902, and there is therefore no authority for her enrollment.

Respectfully,

Acting Commissioner.

17-D-84

Muskogee, Indian Territory, March 5, 1906.

Sterling Williams,

Bokchito, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the aplication for the enrollment of Emily Fields and her descendants as Choctaw freedmen with which case the application for the enrollment of yourself and your child Lewis Williams as Choctaw freedmen has been consolidated.

Respectfully,

Acting Commissioner.

17-D-84

Muskogee, Indian Territory, June 25, 1906.

Sterling Williams,

Bokchito, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 2, 1906, asking if the enrollment of yourself and your child Lewis Williams has yet been approved.

In reply to your letter you are advised that this office is now considering the application for enrollment as Choctaw freedmen of Emily Fields and her descendants and as soon as a decision is reached you will be notified of the action taken therein.

Respectfully,

Commissioner.

Choctaw Freedman D-84.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES,

COLBERT, IND., TER., JUNE 11th 1900.

In the matter of the application of Sterling Williams for enrollment as a Choctaw freedman, said Williams being sworn by Acting Chairman Bixby, testified:

By the Commission?

Q What is your name? A Sterling Williams.
Q You make application for enrollment as a Choctaw freedman? A Yes.
Q What is your age? A 25.
Q What is your postoffice address? A Bokchito.
Q Where do you now live? A Half a mile south of Bokchito.
Q Where were you born? A In Kiamish county, Choctaw Nation.
Q Have you lived in the Choctaw Nation continuously ever since your birth? A Yes.
Q You never have been out of the Choctaw Nation? Not longer than on a visit.
Q How many times have you been out on a visit? A I have worked on a section and have been backwards and forwards to Denison.
Q This is all you have been out of the Nation? A Yes.
Q Have you been out of the Choctaw Nation in the last three years? A Yes, over to Ragsdale, Texas.
Q How long did you stay there? A About half an hour.
Q That is the only time you have been out of the Choctaw Nation in the last three years? A Yes.
Q What is the name of your father? A Lewis Williams.
Q Was he the slave of a Choctaw Indian? A I don't know.
Q Is he now living? A No sir.
Q How long has he been dead? A I don't know.
Q What is your mother's name? A Emeline Fields.
Q Is your mother now living? A Yes.
Q Where does she live? A Caddo.
Q Was she the slave of a Choctaw Indian? A She says she was.
Q Do you know the name of your mother's master? A Clark McCoy I believe.
Q How did you know her master's name was Clark McCoy? A She told me so.
Q Do you know whether your father was in the Choctaw Nation in September, 1865? A No sir, I don't know.
Q Do you know whether your mother was in the Choctaw Nation in September, 1865? A I don't know.
Q Have you ever been enrolled by the authorities of the Choctaw Nation as a Choctaw freedman? A Yes.
Q When? A I don't know exactly— about two years I reckon. It has been about 18 months.
Q Who enrolled you ? A Mr. Joe Bright and Mr. Byington at Caddo.
Q You think that has been about a year and a half ago? A Yes.
Q Were you ever enrolled by the Choctaw tribal authorities before that? A My mother had me enrolled when we were first adopted.

The roll of Choctaw freedmen for the 3rd district prepared by the authorities of the Choctaw Nation in the year 1885 is examined and the name of Sterlin Fields shown to be the son of Emilia Fields appears thereon on page 36 being No. 1155.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in the year 1896 is examined and neither the names of Sterling Fields or Sterling Williams appears thereon.

The roll of Choctaw freedmen prepared by the tribal authorities of the Choctaw Nation in the year 1885 is examined and the

name of Lewis Williams is not found thereon .
Q Was your mother ever enrolled as a Choctaw freedman ? A Yes.
Q In what county and district? A Blue county, Choctaw Nation.
Roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in the year 1885 is examined and the name of Emilia Fields shown to have been the slave of John Clark McCoy appears on page 36 thereof, being No. 1154.
Roll of Choctaw freedmen prepared by the Commissioners of the Choctaw Nation in the year 1896, is examined and the name of Emily Fields of Blue county appears thereon being No. 1452.
Q Are you married? A Yes.
Q What is the name of your wife? A Hattie Williams.
Q What was her name before you married her? A Hattie Carson.
Q How old is she? A About 24.
Q Is she a Choctaw freedman? A No sir.
Q She is a citizen of the United States? A Yes.
Q When were you married? A About three years ago last March.
Q Where were you married? A Gadde.
Q Who performed the ceremony? A Tom Smith.
Q Is he a minister of the gospel? A Yes.
Q Have you your marriage license and certificate? A I have them at home.
Q Is there any one present here who was at your marriage? A Yes.
Q Have you any children? A Yes.
Q Do you make application for their enrollment? A Yes.
Q What are the names of your children and their ages? A Lewis Williams 1 year and 7 months old; Virdie Williams 7 months old.
Q That is all the children you have? A Yes.
Q These children are living at home with you? A One of them is and one is living with its mother. I have been married twice.
Q Who is the mather of Lewis Williams? A Hattie Williams.
Q You are separated now from Hattie Williams? A No sir. I am living with her now.
Q Who is the mother of your second child? A Drucilla Williams.
Q Were you ever married to Drucilla Williams? A Yes.
Q When were you married to Drucilla Williams? A Near to four years ago.
Q Where were you married to Drucilla Williams? A About two miles this side of Gadde by Judge Robersons.
Q Who was present at your marriage? A Alice Gardner and Isabell-- don't know her last name .
Q Who married you? A McKee Roberson. He was an Indian Judge.
Q Did you marry under United States law or Choctaw? A Choctaw.
Q Did you marry your second wife under United States law or Choctaw law? A United States law.
Q Have you the original marriage license or certificate or certified copy of the marriage license and certificate covering your marriage to your first wife, Drucilla Williams? A No sir.
Q What has become of it? A Never did get any.
Q Is Drucilla Williams a citizen of the Choctaw Nation? A Yes, a Choctaw freedman.
Q Do you know whether your first wife ever made application to this Commission for enrollment as a Choctaw freedman? A Her dady did.
Q Have you ever secured a divorce from your first wife? A Yes.
Q When? A I don't know exactly; it has been about 3 or 4 years ago.
Q Before the marriage to your second wife? A Yes.
Q You get this divorce in the Choctaw courts? A yes.
Q Have you ever lived with your first wife since your marriage to your second wife? A No sir.
Q But your youngest child is a child by your first wife? A Yes.
Q How long was it from the time you separated from your first wife

that your child Virdie Williams was born to her? A Near about three years.

Q You had prior to that time secured a divorce from your first wife and married your second wife? A Yes.

Your application for the enrollment of Virdie Williams, whom you claim to be your child by Drucilla Williams, is refused for the reason that the record in this case shows that this child was not born to her in lawful wedlock. The application for the enrollment of this child should be made by its mother, Drucilla Williams.

Q Is there any additional statements in regard to your case that you desire to make at this time? A No sir, only that I have been voting and a citizen of the Choctaw Nation ever since I have been born.

You will be permitted to offer any additional evidence in the form of affidavits or evidence which you may desire to present in support of your case. In the event your application, and that of your child, Lewis Williams, is denied by this Commission you will be so advised by the Commission in writing, and any testimony, affidavits or other testimony you may offer in this case will be forwarded to the Honorable Secretary of the Interior when the rolls of Choctaw freedmen are forwarded to him for final approval.

By Mr. Tolle:

The Choctaw Nation would ask that the testimony of Peter Maytubby in the case of Joanna McDonald et al., be made applicable to this case. Other testimony on the part of the Choctaw Nation to be filed at Muskogee.

Choctaw Freedman D-84.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND., TER., JUNE 11, 1900.

In the matter of the application of Sterling Williams for enrollment as a Choctaw freedman, Mary Belvin being sworn by Commissioner Needles, testified as follows:

Q What is your name? A Mary Belvin.
Q What is your age? A 26.
Q Where do you live? A Gaddo.
Q What is your postoffice address? A Gaddo.
Q How long have you known Sterling Williams? A All his life.
Q Do you know whether or not he is married? A yes.
Q What is the name of his wife? A Hattie.
Q Do you know whether he is now living with his wife, Hattie? A Yes.
Q What was her name before she was married? A Hattie Garson.
Q Do you know how long he has been married to Hattie Garson? A Not exactly.
Q About how long? A I guess about two or three years.
Q Were you present at the marriage? of Sterling Williams and Hattie Garson? A Yes.
Q Where did that marriage take place? A At my house.
Q In what place? A Gaddo, Indoan Territory.
Q Who married these people? A Tom Smith.
Q Is he a minister of the gospel? A Yes.
Q Were they married under the United States or Choctaw law? A I guess it was United States-- they got the license at McAlester.
Q Did you see the marriage license and certificate? A Yes.
Q Do you know whether Sterling Williams has any children by his present wife? A He has one child by her.
Q Is that child living or dead? A It is living.
Q How old is it? It is a year and some months- I don't know exactly.
Q Do you know its name? A Yes, Lewis Williams.

Choctaw Freedman D-84.

Brown McDonald, being sworn by Acting Chairman Bixby, says that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony of Sterling Williams and Mary Belvin, and that the foregoing is a true and correct transcript of his notes.

Brown McDonald

Sworn to and subscribed before me this 14th day of June, 1900, at Colbert, Indian Territory.

Acting Chairman.

Choc FR D 85 Charley Fields

FR D 85

[illegible]

vs

Choctaw Nation

JUL 10 1906

CHICKASAW N[illegible]

JUL 1906

COPY OF DECISION FORWARDED

JUL 1906

JUL 1906

RECORD FORWARDED

JUL 1906

ACTION APPROVED BY
SECRETARY OF INTERIOR MAR 4 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. APR 1 9 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT. APR 1 9 1907

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT. APR 1 9 1907

17-D-85.

Muskogee, Indian Territory, December 30, 1902.

Charley Fields,

Caddo, Indian Territory.

Dear Sir:

There was received at this office December 24, 1902, the application for enrollment as a Choctaw freedman of Willie Fields, infant son of Charley and Biddie Fields. It appears in the caption of the application and the affidavit of the mother that this child was born April 21, 1901; while in the affidavit of the attending midwife the date of birth is given as April 21, 1902.

For the purpose of showing the exact date of the birth of this child, there is enclosed you herewith a new blank, which you are requested to correctly execute and return at your earliest convenience.

In having same executed, be careful to see that all blanks are properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, that such signatures are attested by two disinterested parties, witnesses thereto.

C F 2

The notary public before whom the same are acknowledged must affix his notarial jurat and seal to each separate affidavit.

Upon return of the enclosed application in proper form, the matter will receive further consideration.

Respectfully,

Acting Chairman.

E.C.

17-D-85.

Muskogee, Indian Territory, February 2, 1903.

Charley Fields,

Caddo, Indian Territory.

Dear Sir:

It appears from our records that there was received at this office December 24, 1902, the application for enrollment as a Choctaw freedman of Willy Fields, infant daughter of Charley and Biddie Fields; and it was stated in the affidavit of the mother that the child was born April 21, 1901, while the date of birth given in the affidavit of the midwife was April 21, 1902.

For the purpose of showing the exact date of birth of this child there was enclosed you in our letter of December 30, 1902, a new blank which you were requested to have correctly executed and returned at your earliest convenience.

Receipt is hereby acknowledged of return of the said application, and the same now being in proper form has been duly filed with the records of the Commission as evidence of birth of the above named child.

Respectfully,

Acting Chairman.

1?-D-?.

Muskogee, Indian Territory, August 1?, 1.0?.

Charlie Fields,

Caddo, Indian Territory.

Dear Sir:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of giving testimony relative to the rights of yourself and children as freedmen of the Choctaw Nation, or you may appear at the general office of the Commission, Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

170

17-D-128

Muskogee, Indian Territory, November 27, 1905.

Charles E. McPherren,

Caddo, Indian Territory.

Dear Sir:

On February 25, 1905 you advised this office that you were the attorney for Emily Fields and her descendants, who are applicants for enrollment as Choctaw Freedmen. On March 1, 1905 a letter was addressed to you, asking for certain evidence relative to the enrollment of said Emily Fields and her descendants.

No response has been received at this office in reply to said request. You are now advised that in case you represent the parties above mentioned it will be necessary that additional evidence should be furnished in the matter of the enrollment of said parties. Evidence is requested with respect to the ownership of Emily Fields at the close of the war, the residence on herself and descendants up to and including September 25, 1902.

You should give this matter your prompt attention. If you do not at present represent them you will please inform this office to that effect.

Respectfully,

17-D-85

Muskogee, Indian Territory, March 5, 1906.

Charley Fields,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields, and her descendants as Choctaw freedmen with which case the application for the enrollment of yourself and your children Clifton and Willy Fields as Choctaw freedmen has been consolidated.

Respectfully,

Acting Commissioner.

17 - D. 85 — Enr. 160

IN RE

Application for Enrollment of

INFANT CHILD

Willie Fields

as a citizen of the

CHOCTAW FREEDMEN Nation.

Approved _____ 190__

Commissioner.

ACTING CHAIRMAN.

DEC 2 1902

FILED

COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR,

CHOCTAW FREEDMEN

D 85

17 - D. 85 — Enr. 160

20

IN RE

Application for Enrollment of

INFANT CHILD

Willie Fields.

as a citizen of the

CHOCTAW FREEDMEN *Nation.*

Approved _____ *190*__

Commissioner.

FILED
DEC 2 1902
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ACTING CHAIRMAN.

CHOCTAW FREEDMEN

D 85

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Willie Fields, born on the 21 day of April, 1901
(Here insert name of child.)
Name of Father: Charley Fields, a citizen of the Choctaw Nation.
Name of Mother: Biddie Fields, a citizen of the Choctaw Nation.
Post-Office: Lincoln IT

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Kent District.

I, Biddie Fields, on oath state that I am 21 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of Charley Fields, who is a citizen, by Freedman, of the Choctaw Nation, that a female child was born to me on the 21 day of April 1901; that said child has been named Willie Fields, and is now living.

Biddie Fields

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 20th day of Dec 1902.

J. R. Rogers
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Kent District.

I, Sue Fields, Midwife, on oath state that I attended on Mrs. Biddie Fields, wife of Charley Fields, on the 21 day of April, 1902; that there was born to her on said date a female child; that said child is now living and is said to have been named Willie Fields.

Sue Fields

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 20 day of Dec 1902.

J. R. Rogers
Notary Public.

Choctaw Freedman D-85 .

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND/ TER/ JUNE 12, 1900.

In the matter of the application of Charley Fields for enrollment as a Choctaw freedman, said Charley Fields being sworn by Commissioner Needles testified as follows:

Q What is your name? A Charley Fields.
Q How old are you? A 21.
Q Where do you live? A Caddo.
Q Where were you born? A Blue county in the Choctaw Nation.
Q What was your father's name? A Gene Fields.
Q Was he a slave? A I don't know.
Q What is your mother's name? A Emoline Fields.
Q She was a slave? A Yes.
Q Whom did she belong to? A I don't know.
Q How do you know she was a slave? A. Because she said she was.
Q Where is she? A Caddo.
Q Are you married? A yes
Q Is your wife a state woman? A yes.
Q Have you any certificate of marriage? A yes.
Q Have you any children? A yes, one.
Q Do you want that child enrolled? A Yes.
Q Where have you lived all your life? A Caddo in Blue county.
Q Have you been recognized as a citizen of the Choctaw Nation? A Yes.
Q Do you know whether you are on the rolls or not? A Yes, I am.
Q Do you know what year? A No sir, I don't recollect.
Q What is the name of your child? A Clifton Fields.
Q How old is he? A One year and ten months.
Q I believe you state your wife was a non-citizen? A Yes.
Q What is your wife's name? A Biddy Fields.
Q What was her name before you married her? A Biddy Clinton.

Upon examination of the Choctaw freedman authenticated rolls of 1896 the name of Charley Fields is found No. 1451, 19 years of age, enrolled in Blue county

This testimony will be filed with the other testimony taken in this case and the Commission will decide upon your application when the final arolls are made. If you are not enrolled by the Commission you will be notified by mail. The application papers in this case will be sent to the Honorable Secretary of the Interior for his investigation. You may file any other testimony you care to file in this case before the final rolls are sent to the Secretary.

By Mr. Telle:

The Choctaw Nation would ask that the testimony of Peter Maytubby in the matter of the application of Joanna McDonald be made applicable to this case. Other testimony on the part of the Choctaw Nation will be produced at Muskogee.

Brown McDonald being sworn by Acting Chairman Bixby, says that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony of the above named witness, and the foregoing is a full and complete transcription of his notes.

Brown McDonald

Sworn to and subscribed before me this 14th day of June, 1900, at Colbert, Indian Territory.

Acting Chairman.

O.L.J.

O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Emily Fields, et al., as Choctaw freedmen, consolidating the applications of

Emily Fields	17 D 128
Joanna McDonald, et al.	17 D 79
Robert Townsend	17 D 169
Viney Nail, et al	17 D 172
Eveline Bryant, et al	17 D 80
Jim Townsend	17 D 81
Sidney Fields, et al.	17 D 82
Rena Paris	17 D 83
~~Sterling Williams, et al.~~	~~17 D 84~~
Charley Fields, et al.	17 D 85
Madison Fields, et al.	17 D 86
Alexander Fields	17 D 87
Horace Fields	17 D 88
Mary Belvin	17 R 10

D E C I S I O N .

It appears from the census card records in this case that on August 24, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Emily Fields as a Choctaw freedman; that on June 11, 1900, applications were made to said Commission for enrollment as Choctaw freedmen by Joanna McDonald for herself and her four minor children, Fanny, Lennie, Paralee and Cleveland McDonald; by Eveline Bryant for herself and her two minor children, Oscar Osborne and Lercy Bryant; by Jim Townsend for himself; by Sidney Fields for himself and his five minor children, Clara, Carrie, Ephriam, Wilburn and Mary Fields; by Rena Paris for herself; and by Sterling Williams for himself and his two minor children, Lewis and Virdie Williams; that on June 12, 1900, applications were made by Charley Fields for the enrollment of himself and his two minor children, Clifton and Willy Fields; by Madison Fields for himself and his minor child, Emma Fields; ~~by Madison Fields for himself and his minor child, Emma Fields;~~ by Alexander Fields for himself and by Horace Fields for himself as Choctaw freedmen; that on November 20, 1902, application was made by Robert Townsend for the enrollment of himself; that on November 21, 1902, application was made by Viney Nail for the enrollment of herself and her minor nephew and niece, Ed and Virgie Stevens; and that on August 22, 1899, application was made by Mary Belvin for the enrollment of herself as a Choctaw freedman.

It appears from the records in the possession of this office that Virdie Williams, minor applicant in 17 D 84, has heretofore been enrolled as a Choctaw freedman, her name (as Odessa May Williams) appearing as number 3430 upon a list prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats.,641), of persons entitled to enrollment as Choctaw freedmen, and approved by the Secretary of the Interior September 26, 1903.

It further appears from the record herein and from the census card records in this case that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Charley Fields and Rena Paris are the children of the applicant, Emily Fields, and Eugene Fields, a non-citizen; that Emma Fields is the daughter of the applicant, Madison Fields, and Frances Fields, a non-citizen; that Clifton and Willy Fields are the children of the applicant, Charley Fields, and Biddy Fields, a non-citizen; that Lewis Williams is the son of the applicant, Sterling Williams, and Hattie Williams, a non-citizen; that Fanny , Lennie, Paralee and Cleveland McDonald and Viney Nail are the children of the applicant, Joanna McDonald, and Andy McDonald, a non-citizen; that Robert Townsend is the son of the applicant, Joanna McDonald, and Isom Townsend, a non-citizen; that Ed and Virgie Stevens are the children of Will Stevens, a non-citizen, and Lou Stevens (now deceased, and born subsequent to the war), who was the daughter of the applicant, Joanna McDonald, and Andy McDonald, above mentioned; that Eveline Bryant is the daughter of the applicant, Joanna McDonald, and John Williams, a non-citizen; that Oscar Osborne is the son of said Eveline Bryant and Cornelius Osborne, a non-citizen; that Leroy Bryant is the son of Eveline Bryant and Russell Bryant, a non-citizen; that Jim Townsend is the son of Isom Townsend, a non-citizen, and Ellen Townsend (now deceased - and that Clara, Carrie, Ephriam, Wilburn and Mary Fields are the children of the applicant, Sidney Fields, and Mattie Fields, a non-citizen.

It further appears from the record herein that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Emma Fields, Charley Fields, Clifton Fields, Willy Fields, Sterling Williams, Lewis Williams, Rena Paris and Robert Townsend, were born subsequent to the war of the rebellion, and claim their right to enrollment as Choctaw freedmen by reason of being descendants of the principal applicant, Emily Fields; that the applicants, Fanny McDonald, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, and Leroy Bryant, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Joanna McDonald; that Jim Townsend claims his right to enrollment by reason of being a descendant of Ellen Townsend; and that Clara, Carrie, Ephriam, Wilburn and Mary Fields, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Sidney Fields.

It is alleged that said Emily Fields, Sidney Fields, Joanna McDonald and Ellen Townsend (now deceased), who were born prior to the war of the rebellion, were the slaves of Dock (or John) and Clark McCoy, during and at the close of the war of the rebellion.

The preponderance of the evidence, however, shows that the persons above mentioned, were, during and at the close of the war of the rebellion, the slaves of a white man, and resided in the state of Texas at the date of the treaty of Fort Smith.

The record herein further shows that the applicants, Joanna McDonald and Fanny McDonald, died prior to September 25, 1902.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that the applicants, Emily Fields, Sidney Fields, Clara Fields, Rena Paris and Sterling Williams, are identified upon the 1885 Choctaw freedmen

census roll, Blue County, numbers 1154, 1163, 1164, 1165 and 1155, respectively. The applicants, Emily Fields, Charley Fields and Madison Fields, are identified upon the 1896 Choctaw freedmen census roll, Blue County, numbers 1452, 1451 and 1441, respectively.

I am, therefore, of the opinion that the applications for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephriam Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, AlexanderFields, Horace Fields and Mary Belvin as Choctaw freedmen, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats.,495) and July 1, 1902 (32 Stats.,641), and it is so ordered.

I am further of the opinion that the application for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen should be dismissed, and it is so ordered.

(Signed) Tams Bixby,
Commissioner.

Muskogee, Indian Territory,

Jul 10 1906.

17-D-85 et al.

Muskogee, Indian Territory, July 10, 1906.

Charley Fields,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for enrollment of yourself. Clifton Fields and Willy Fields as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.

Incl. 17-D-85 et al.

17-D-128 et al.

Muskogee, Indian Territory, July 10,1906

Charles E. McPherren,

Attorney at Law,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Incl. 17-D-128 et al.

Commissioner.

17-D-128 et al

Muskogee, Indian Territory, July 10, 1906

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fannie McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Incl. 17-D-128 et al.

Muskogee, Indian Territory, July 10, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Hall, Ed Stevens, Virgie Stevens, Evaline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephraim Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields, and Mary Belvin as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated July 10, 1906, denying said applications, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

Respectfully,

Commissioner.

2 Incl. 17-D-128 et al.

Through the
Commissioner of Indian Affairs.

Choc FR D 86 madison Fields

FR D 86

Mad[illegible]

vs

Choctaw Nation

COPY OF DECISION FORWARDED

RECORD FORWARDED

ACTION APPROVED BY
SECRETARY OF INTERIOR.
MAR 4 190[illegible]

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.
APR 1 9 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT. APR 1 9 1907

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT. APR 1 9 190[illegible]

O.L.J.

O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Emily Fields, et al., as Choctaw freedmen, consolidating the applications of

Emily Fields	17 D 128
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Alexander Fields	17 D 87
Horace Fields	17 D 88
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D E C I S I O N.

It appears from the census card records in this case that on August 24, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Emily Fields as a Choctaw freedman; that on June 11, 1900, applications were made to said Commission for enrollment as Choctaw freedmen by Joanna McDonald for herself and her four minor children, Fanny, Lennie, Paralee and Cleveland McDonald; by Eveline Bryant for herself and her two minor children, Oscar Osborne and Leroy Bryant; by Jim Townsend for himself; by Sidney Fields for himself and his five minor children, Clara, Carrie, Ephriam, Wilburn and Mary Fields; by Rena Paris for herself; and by Sterling Williams for himself and his two minor children, Lewis and Virdie Williams; that on June 12, 1900, applications were made by Charley Fields for the enrollment of himself and his two minor children, Clifton and Willy Fields; by Madison Fields for himself and his minor child, Emma Fields; ~~by Madison Fields for himself and his minor child, Emma Fields;~~ by Alexander Fields for himself and by Horace Fields for himself as Choctaw freedmen; that on November 20, 1902, application was made by Robert Townsend for the enrollment of himself; that on November 21, 1902, application was made by Viney Nail for the enrollment of herself and her minor nephew and niece, Ed and Virgie Stevens; and that on August 22, 1899, application was made by Mary Belvin for the enrollment of herself as a Choctaw freedman.

It appears from the records in the possession of this office that Virdie Williams, minor applicant in 17 D 84, has heretofore been enrolled as a Choctaw freedman, her name (as Odessa May Williams) appearing as number 3430 upon a list prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats.,641), of persons entitled to enrollment as Choctaw freedmen, and approved by the Secretary of the Interior September 26, 1903.

It further appears from the record herein and from the census card records in this case that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Charley Fields and Rena Paris are the children of the applicant, Emily Fields, and Eugene Fields, a non-citizen; that Rena Fields is the daughter of the applicant, Madison Fields, and Frances Fields, a non-citizen; that Clifton and Willy Fields are the children of the applicant, Charley Fields, and Biddy Fields, a non-citizen; that Lewis Williams is the son of the applicant, Sterling Williams, and Mattie Williams, a non-citizen; that Fanny , Lennie, Paralee and Cleveland McDonald and Viney Nail are the children of the applicant, Joanna McDonald, and Andy McDonald, a non-citizen, that Robert Townsend is the son of the applicant, Joanna McDonald, and Isom Townsend, a non-citizen; that Ed and Virgie Stevens are the children of Will Stevens, a non-citizen, and Lou Stevens (now deceased, and born subsequent to the war), who was the daughter of the applicant, Joanna McDonald, and Andy McDonald, above mentioned; that Eveline Bryant is the daughter of the applicant, Joanna McDonald, and John Williams, a non-citizen; that Oscar Osborne is the son of said Eveline Bryant and Cornelius Osborne, a non-citizen; that Leroy Bryant is the son of Eveline Bryant and Russell Bryant, a non-citizen; that Jim Townsend is the son of Isom Townsend, a non-citizen, and Ellen Townsend (now deceased - and that Clara, Carrie, Ephriam, Wilburn and Mary Fields are the children of the applicant, Sidney Fields, and Mattie Fields, a non-citizen.

It further appears from the record herein that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Rena Fields, Charley Fields, Clifton Fields, Willy Fields, Sterling Williams, Lewis Williams, Rena Paris and Robert Townsend, were born subsequent to the war of the rebellion, and claim their rights to enrollment as Choctaw freedmen by reason of being descendants of the principal applicant, Emily Fields; that the applicants, Fanny McDonald, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, and Leroy Bryant, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Joanna McDonald; that Jim Townsend claims his right to enrollment by reason of being a descendant of Ellen Townsend; and that Clara, Carrie, Ephriam, Wilburn and Mary Fields, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Sidney Fields.

It is alleged that said Emily Fields, Sidney Fields, Joanna McDonald and Ellen Townsend (now deceased), who were born prior to the war of the rebellion, were the slaves of Dock (or John) and Clark McCoy, during and at the close of the war of the rebellion.

The preponderance of the evidence, however, shows that the persons above mentioned, were, during and at the close of the war of the rebellion, the slaves of a white man, and resided in the state of Texas at the date of the treaty of Fort Smith.

The record herein further shows that the applicants, Joanna McDonald and Fanny McDonald, died prior to September 25, 1902.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that the applicants, Emily Fields, Sidney Fields, Clara Fields, Rena Paris and Sterling Williams, are identified upon the 1885 Choctaw freedmen

census roll, Blue County, numbers 1154, 1163, 1164, 1165 and 1155, respectively. The applicants, Emily Fields, Charley Fields and Madison Fields, are identified upon the 1896 Choctaw freedmen census roll, Blue County, numbers 1452, 1451 and 1441, respectively.

I am, therefore, of the opinion that the applications for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephriam Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, AlexanderFields, Horace Fields and Mary Belvin as Choctaw freedmen, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats.,495) and July 1, 1902 (32 Stats.,641), and it is so ordered.

I am further of the opinion that the application for the enrollment of Joanna McDonald and Fanny M Donald as Choctaw freedmen should be dismissed, and it is so ordered.

(Signed) Tams Bixby,
Commissioner.

Muskogee, Indian Territory,

Jul 10 1906.

17-D-86 et al.

Muskogee, Indian Territory, July 10, 1906.

Madison Fields,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for enrollment of yourself and Emma Fields as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.

Incl. 17-D-86 et al.

17-D-128 et al.

Muskogee, Indian Territory, July 10,1906

Charles E. McPherren,

Attorney at Law,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant Oscar Osborne, Lorey Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

Tams Bixby

Commissioner.

Incl. 17-D-128 et al.

17-D-128 et al

Muskogee, Indian Territory, July 10, 1906

COPY.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fannie McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Incl. 17-D-128 et al.

Muskogee, Indian Territory, July 10, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Vinsy Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephraim Fields, Wilburn Fields, Mary Fiel s, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields, and Mary Belvin as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated July 10, 1906, denying said applications, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

Respectfully,

Commissioner.

2 Incl. 17-D-128 et al.

Through the
Commissioner of Indian Affairs.

17-D-1.

Muskogee, Indian Territory, August 14, 1904.

Madison Fields,

Addo, Indian Territory.

Dear Sir:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to the rights of yourself and child as freedmen of the Choctaw Nation, or you may appear for this purpose at the general office of the Commission, Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

17-D-123

Muskogee, Indian Territory, November 27, 1905.

Charles E. McPherren,

Caddo, Indian Territory.

Dear Sir:

On February 25, 1905 you advised this office that you were the attorney for Emily Fields and her descendants, who are applicants for enrollment as Choctaw Freedmen. On March 1, 1905 a letter was addressed to you, asking for certain evidence relative to the enrollment of said Emily Fields and her descendants.

No response has been received at this office in reply to said request. You are now advised that in case you represent the parties above mentioned it will be necessary that additional evidence should be furnished in the matter of the enrollment of said parties. Evidence is requested with respect to the ownership of Emily Fields at the close of the war, the residence of herself and descendants up to and including September 25, 1902.

You should give this matter your prompt attention. If you do not at present represent them you will please inform this office to that effect.

Respectfully,

Acting Commissioner.

17-D-86

Muskogee, Indian Territory, March 5, 1906.

Madison Fields,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields, and her descendants as Choctaw freedmen which case the application for the enrollment of yourself and your child Emma Fields as Choctaw freedmen has been consolidated.

Respectfully,

Acting Commissioner.

Choctaw Freedman D-86.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND., TER., JUNE 11, 1900.

In the matter of the application of Madison Fields for enrollment as a Choctaw Freedman, said Madison Fields being sworn by [redacted]: Commissioner Needles testified:

By the Commission:
Q What is your name? A Madison Fields.
Q How old are you? A 24 or 25 I think.
Q Where do you live? A I live in Caddo.
Q Where were you born? A Kiamish county, Choctaw Nation.
Q What was your mother's name? A Emeline Fields.
Q Was she a slave? A Yes.
Q Whom did she belong to? A She said she belonged to Dock McCoy.
Q What was Dock McCoy? A I suppose he would be Choctaw.
Q Was he a Choctaw Indian? A Yes.
Q Where have you lived since you were born? A When I was born in Kiamish county we moved from Kiamish to Caddo.
Q Have you always lived in the Territory? A Yes.
Q What is your wife's name? A Francesa.
Q Is she a Choctaw freedman or a state woman? A Non-citizen.
Q Have you any evidence of your marriage? A They have it at [redacted] home.
Q Have you any children? A I have only one.
Q What is its name? A Emma.
Q How old is she? A Going on 7 years old.
Q Living with you? A Yes.
Q Are you upon any of the rolls of the Choctaw Nation? A I think so.
Q What is your wife's name? A Frances.
Q What was her name before you married her? A Frances Mallory.
Q Have you any other testimony you want to offer in regard to your enrollment as a Choctaw freedman? A No sir.
Q Did you ever know any other Madison Fields? A No, not as I know of. I know lots of Fields.
Q What was your father's name? A Eugenie Fields.

By Mr. Tolle:

The Choctaw Nation would ask that the statement of Peter Maytubby in the case of Joanna McDonald and his former statement in the case of Emily Fields be made applicable to this case and that of all the children of Emily Fields. Further testimony to be procured and filed at Muskogee.

By the Commission:

You will be placed on a doubtful card and the testimony that you have given and that the Choctaw Nation as taken, contesting your Claim, will beforwarded to the Honorable Secretary of the Interior for his consideration, and upon the final making up of these rolls the decision of the Commission in your case will be sent you by mail, and it will be necessary for you to forward to the Commission your marriage certificate.

On examination of the authenticated rolls of the Choctaw Nation as to freedmen we find the name of Madison Fields No. 1441 enrolled 52 years of age, and the Commission is unable to determine on account of the discrepancy in the age of the Madison Fields that is on the roll and the age that is given by the applicant for the identification of Madison Fields as being upon the authenticated rolls.

Q Do you know whether your mother, Emily Fields, lived in the Territory in September, 1865 or not? A I could not tell you anything about that.

Choctaw Freedman D-86.

Brown McDonald, being sworn by Acting Chairman Bixby, says that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony of the witness, Madison Fields, and that the foregoing is a full, true and correct transcript of his notes.

Brown McDonald

Sworn to and subscribed before me this 14th day of June, 1900, at Colbert, Indian Territory.

Acting Chairman.

IN RE
THE DEATH OF

Madison Fields
a citizen of the

Choctaw (Freedman) Nation.

Approved 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Madison Fields
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near Caddo (Here insert name of postoffice), Ind. Ter., and died on the 28th. day of August, 1904.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central DISTRICT.

I, Mary Lee nee Belvin, on oath state that I am 53 years of age and a citizen, by adoption, of the Choctaw (Freedman) Nation; that my postoffice address is Caddo, (Here insert name of postoffice.), Ind. Ter.; that I am sister (State relationship as: the father; an uncle; a cousin, etc.) of Madison Fields (Here insert name of deceased), who was a citizen, by adoption, of the Choctaw (Freedman) Nation; and that said Madison Fields (Here insert name of deceased.) died on the 28th. day of August, 1904.

Mary Lee

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 14th. day of March 1905.

Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central DISTRICT.

I, Jessie Smith, on oath state that I am 21 years of age, and a citizen XXXXXXXXXXXXXXXX, of the United States XXXX Nation; that my postoffice address is Caddo, (Here insert name of postoffice.), Ind. Ter.; that I was personally acquainted with Madison Fields (Here insert name of deceased.) who was a citizen, by adoption, of the Choctaw (Freedman) Nation; and that said Madison Fields (Here insert name of deceased) died on the 28th. day of August, 1904.

Jesse his X mark Smith

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 14th. day of March 1905.

Notary Public.

Choc FR D 87 Alexander Fields

FR D 87

Choctaw Nation.

JUL 1 0 1906

JUL 3 0 1906

JUL 1906

JUL 1 0 1906

ACTION APPROVED BY
SECRETARY OF INTERIOR.
MAR 4 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. APR 1 9 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.
APR 1 9 1907

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.
APR 1 9 1907

17-4-128

17-B-27.

Muskogee, Indian Territory, August 1[illegible], 1904.

Alexander Field,

Caddo, Indian Territory.

Dear Sir:

The Commission will hold a session at the Choctaw Land ~~Office, Atoka, Indian Territory on September 6-7, 1904 and at~~ the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of giving testimony relative to the rights of yourself as a freedman of the Choctaw Nation, or you may appear for this purpose at the general office of the Commission at Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

17-B-128

Muskogee, Indian Territory, November 27, 1905.

Charles E. McPherren,

Caddo, Indian Territory.

Dear Sir:

On February 25, 1905 you advised this office that you were the attorney for Emily Fields and her descendants, who are applicants for enrollment as Choctaw Freedmen. On March 1, 1905 a letter was addressed to you, asking for certain evidence relative to the enrollment of said Emily Fields and her descendants.

No response has been received at this office in reply to said request. You are now advised that in case you represent the parties above mentioned it will be necessary that additional evidence should be furnished in the matter of the enrollment of said parties. Evidence is requested with respect to the ownership of Emily Fields at the close of the war, the residence of herself and descendants up to and including September 25, 1902.

You should give this matter your prompt attention. If you do not at present represent them you will please inform this office to that effect.

Respectfully,

Acting Commissioner.

17-D-87

Muskogee, Indian Territory, March 5, 1906.

Alexander Fields,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields, and her descendants as Choctaw freedmen whth which case the application for your enrollment as a Choctaw freedman has been consolidated.

Respectfully,

Acting Commissioner.

Choctaw Freedman- D-87.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND. TER., JUNE 12, 1900.

In the matter of the application of Alexander Fields for enrollment as a Choctaw Freedman, said Alexander Fields being sworn by Commissioner Needles testified as follows:

By the Commission:
Q How old are you? A About 28 or 30.
Q What is your mother's name? A Emeline Fields.
Q Was she a slave? A I suppose so.
Q Whom did she belong to? A Dock McCoy.
Q How do you know she belonged to Dock McCoy? A That is what she said.
Q What was Dock McCoy? A He was a half breed Choctaw Indian.
Q Where have you lived ever since you were born? A Lived in Kiamish and then in Blue county in the Indian territory.
Q Always lived here? A Yes.
Q Do you know whether you are upon any of the rolls of the Choctaw Nation or not? A I don't know-- could not tell you. My mother said I was on therolls .
Q Are you married? A Yes.
Q Is your wife a citizen? A No sir.
Q Have you any certificate of marriage? A No sir.
Q Ever have nay? A Yes.
Q Where is it? A At home.
Q Have you any children? A No sir.
Q You only apply for yourself? A yes.
By Mr. Telle:

The Choctaw Nation would request that the statement made by Peter Maytubby in the matter of the application of Joana McDonald, and his former statement in the case of the application of Emily Fields, mother of the applicant, be made applicable to this case. Additional testimony will be procured and presented at Muskogee.

Upon examination of the authenticated rolls of the Choctaw Nation failing to find the names of Alexander Fields, your application is placed upon what is known as a doubtful card and your testimony given to-day and all the other testimony in connection with your case and contest by the Choctaw Nation, will be forwarded to the Honorable Secretary of the Interior for his consideration. When the Commission decides as to your citizenship you will be notified by mail.

By Mr. Henry Byington, his attorney:
Q Where were you when your mother was enrolled the first time? A In the Penitentiary.
Q Where at? A In Detroit.
Q That is how come you didn't go to enroll the first time? A Yes.
By the Commission:
Q How old were you when you were in the penitentiary? A Young lad of a boy .
Q Under 18 years of age? A Yes.
Q Do you know the reason that your mother did not enroll you when she enrolled herself? A Because I was not there, she called it.
Q You don't know the reason why? A No sir.

Choctaw Freedman D-87.

Brown McDonald, being sworn by Acting Chairman Bixby, says that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony of the witness Alexander Fields, and that the foregoing is a true, full and correct transcript of his notes.

Brown McDonald

Sworn to and subscribed before me this 15th day of June, 1900, at Colbert, Indian Territory.

Acting Chairman.

O.L.J.

O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Emily Fields, et al., as Choctaw freedmen, consolidating the applications of

Emily Fields	17 D 128
Joanna McDonald, et al.	17 D 79
Robert Townsend	17 D 169
Viney Nail, et al	17 D 172
Eveline Bryant, et al	17 D 80
Jim Townsend	17 D 81
Sidney Fields, et al.	17 D 82
Rena Paris	17 D 83
~~Sterling Williams, et al.~~	~~17 D 84~~
Charley Fields, et al.	17 D 85
Madison Fields, et al.	17 D 86
Alexander Fields	17 D 87
Horace Fields	17 D 88
Mary Belvin	17 R 10

D E C I S I O N.

It appears from the census card records in this case that on August 24, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Emily Fields as a Choctaw freedman; that on June 11, 1900, applications were made to said Commission for enrollment as Choctaw freedmen by Joanna McDonald for herself and her four minor children, Fanny, Lennie, Paralee and Cleveland McDonald; by Eveline Bryant for herself and her two minor children, Oscar Osborne and Leroy Bryant; by Jim Townsend for himself; by Sidney Fields for himself and his five minor children, Clara, Carrie, Ephriam, Wilburn and Mary Fields; by Rena Paris for herself; and by Sterling Williams for himself and his two minor children, Lewis and Virdie Williams; that on June 12, 1900, applications were made by Charley Fields for the enrollment of himself and his two minor children, Clifton and Willy Fields; by Madison Fields for himself and his minor child, Emma Fields; ~~by Madison Fields for himself and his minor child, Emma Fields;~~ by Alexander Fields for himself and by Horace Fields for himself as Choctaw freedmen; that on November 20, 1902, application was made by Robert Townsend for the enrollment of himself; that on November 21, 1902, application was made by Viney Nail for the enrollment of herself and her minor nephew and niece, Ed and Virgie Stevens; and that on August 22, 1899, application was made by Mary Belvin for the enrollment of herself as a Choctaw freedman.

It appears from the records in the possession of this office that Virdie Williams, minor applicant in 17 D 84, has heretofore been enrolled as a Choctaw freedman, her name (as Odessa May Williams) appearing as number 3430 upon a list prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats.,641), of persons entitled to enrollment as Choctaw freedmen, and approved by the Secretary of the Interior September 26, 1903.

It further appears from the record herein and from the census card records in this case that the applicant, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Charlie Fields and Rena Paris are the children of the applicant, Emily Fields, and Eugene Fields, a non-citizen; that Emma Fields is the daughter of the applicant, Madison Fields, and Frances Fields, a non-citizen; that Clifton and Willie Fields are the children of the applicant, Charley Fields, and Biddy Fields, a non-citizen; that Lewis Williams is the son of the applicant, Sterling Williams, and Mattie Williams, a non-citizen, that Fanny, Lennie, Paralee and Cleveland McDonald and Viney Nail are the children of the applicant, Joanna McDonald, and Andy McDonald, a non-citizen, that Robert Townsend is the son of the applicant, Joanna McDonald, and Isom Townsend, a non-citizen; ~~that Ed and Virgie Stevens are the children of Will Stevens, a non-citizen, and Lou Stevens (now deceased, and born subsequent to the war), who was the daughter of the applicant, Joanna McDonald, and Andy McDonald, above mentioned;~~ that Eveline Bryant is the daughter of the applicant, Joanna McDonald, and John Williams, a non-citizen; that Oscar Osborne is the son of said Eveline Bryant and Cornelius Osborne, a non-citizen, that Leroy Bryant is the son of Eveline Bryant and Russell Bryant, a non-citizen; that Jim Townsend is the son of Isom Townsend, a non-citizen, and Ellen Townsend (now deceased - and that Clara, Carrie, Ephriam, Wilburn and Mary Fields are the children of the applicant, Sidney Fields, and Mattie Fields, a non-citizen.

It further appears from the record herein that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Emma Fields, Charlie Fields, Clifton Fields, Willie Fields, Sterling Williams, Lewis Williams, Rena Paris and Robert Townsend, were born subsequent to the war of the rebellion, and claim their right to enrollment as Choctaw freedmen by reason of being descendants of the principal applicant, Emily Fields; that the applicants, Fanny McDonald, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, and Leroy Bryant, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Joanna McDonald; that Jim Townsend claims his right to enrollment by reason of being a descendant of Ellen Townsend; and that Clara, Carrie, Ephriam, Wilburn and Mary Fields, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Sidney Fields.

It is alleged that said Emily Fields, Sidney Fields, Joanna McDonald and Ellen Townsend (now deceased), who were born prior to the war of the rebellion, were the slaves of Dock (or John) and Clara McCoy, during and at the close of the war of the rebellion.

The preponderance of the evidence, however, shows that the persons above mentioned, were, during and at the close of the war of the rebellion, the slaves of a white man, and resided in the state of Texas at the date of the treaty of Fort Smith.

The record herein further shows that the applicants, Joanna McDonald and Fanny McDonald, died prior to September 25, 1902.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that the applicants, Emily Fields, Sidney Fields, Clara Fields, Rena Paris and Sterling Williams, are identified upon the 1885 Choctaw freedmen

census roll, Blue County, numbers 1164, 1163, 1164, 1165 and 1155, respectively. The applicants, Emily Fields, Charle Fields and Madison Fields, are identified upon the 1896 Choctaw freedmen census roll, Blue County, numbers 1452, 1451 and 1441, respectively.

I am, therefore, of the opinion that the applications for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephriam Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, AlexanderFields, Horace Fields and Mary Belvin as Choctaw freedmen, should be denied, under the provisions of the Acts of ~~Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902~~ (32 Stats., 641), and it is so ordered.

I am further of the opinion that the application for the enrollment of Joanna McDonald and Fanny M Donald as Choctaw freedmen should be dismissed, and it is so ordered.

(Signed) Tom Rixby,
Commissioner.

Muskogee, Indian Territory,

Jul 10 1906.

17-2-87 et al.

Muskogee, Indian Territory, July 10, 1906.

Alexander Fields,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying your application for enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.

Incl. 17-2-87 et al.

17-D-128 et al.

Muskogee, Indian Territory, July 10,1906

Charles E. McPherren,

Attorney at Law,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Jeanna McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Incl. 17-D-128 et al.

17-D-128 et al

Muskogee, Indian Territory, July 10, 1906

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fannie McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Incl. 17-D-128 et al.

Muskogee, Indian Territory, July 10, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephraim Fields, Wilburn Fields, Mary Fiel s, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields, and Mary Belvin as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated July 10, 1906, denying said applications, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

Respectfully,

Tams Bixby

Commissioner.

2 Incl. 17-D-128 et al.

Through the
Commissioner of Indian Affairs.

Choc FR D 88 Horace Fields

FR D 88

Choctaw Nation

DECISION RENDERED JUL 10 1906

REFUSED JUL 10 1906

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS.

COPY OF DECISION FORWARDED JUL 10 19
ATTORNEY FOR APPLICANT

JUL 10 19
COPY OF DECISION FORWARDED
APPLICANT

JUL

RECORD FORWARDED DEPARTMENT

JUL 10 1906

ACTION APPROVED BY
SECRETARY OF INTERIOR
JUL 4 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.
APR 19 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.
APR 19 1907

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.
APR 19 1907

17-11-128

17-D-88.

Muskogee, Indian Territory, August 18, 1904.

Horace Fields,

Caddo, Indian Territory.

Dear Sir:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as a freedman of the Choctaw Nation, or you may appear at the general office of the Commission, Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

17-D-88
17-108 17-106
17-107

Muskogee, Indian Territory, October 3, 1904.

Mary Martin,

Muskogee, Indian Territory.

Dear Madam:-

Receipt is hereby acknowledged of your letter of September 12, 1904, addressed to the Secretary of the Interior and by him referred to this Commission for consideration and appropriate action. Therein you request to be advised relative to the applications for enrollment of James Cherry and his family; Mary Martin and her family, Annie Grayson and Willie Daugherty as Choctaw freedmen.

You are informed the Commission is now considering the application of the persons named in your letter for enrollment as Choctaw freedmen, and when a decision is reached you will be notified of the action taken.

Respectfully,

Chairman.

17088

17-D-128

Muskogee, Indian Territory, November 27, 1905.

Charles E. McPherren,

Caddo, Indian Territory.

Dear Sir:

On February 25, 1905 you advised this office that you were the attorney for Emily Fields and her descendants, who are applicants for enrollment as Choctaw Freedmen. On March 1, 1905 a letter was addressed to you, asking for certain evidence relative to the enrollment of said Emily Fields and her descendants.

No response has been received at this office in reply to said request. You are now advised that in case you represent the parties above mentioned it will be necessary that additional evidence should be furnished in the matter of the enrollment of said parties. Evidence is requested with respect to the ownership of Emily Fields at the close of the war, the residence of herself and descendants up to and including September 25, 1902.

You should give this matter your prompt attention. If you do not at present represent them you will please inform this office to that effect.

Respectfully,

Acting Commissioner.

17-D-88

Muskogee, Indian Territory, March 5, 1906.

Horace Fields,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen with which case the application for your enrollment as a Choctaw freedman has been consolidated.

Respectfully,

Acting Commissioner.

Choctaw Freedman D-88.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND., TER., JUNE 12, 1900.

In the matter of the application for enrollment of Horace Fields as a Choctaw Freedman, said Horace Fields being sworn by Commissioner Needles, testified as follows:

By the Commission:

Q You name is Horace Fields? A Yes.
Q How old are you? A About 23.
Q Where do you live? A Caddo.
Q Indian Territory? A Yes.
Q Where were you born? A In the Choctaw Nation.
Q Where have you lived ever since you were born? A In the Choctaw Nation.
Q What is your mother,s name? A Emeline Fields.
Q She was a slave? A I don't know.
Q Do you know that no person is entitled to enrollment except slaves and the children of slaves? A I don't know.
Q By what right do you expect to be enrolled here? A My mother said she was a slave.
Q Where does she live? A At Caddo.
Q Is She here? A No sir.
Q Is your name upon the Choctaw roll? A Yes.
Q What year? A I don't know.
Q On what book? A The Choctaw roll book.
Q You don't know whether your mother was a slave or not? A No sir.
Q You do not know whether she is a citizen or not? A No sir, I know she says she is a citizen.
Q Did you ever appear before the Dawes Commission before for enrollment? A No sir.
Q Why haven't you? A I was sick when they was at Caddo.

Upon examination by the Commission your name is found upon the authenticated Choctaw rolls of 1865. Your citizenship is contested by Choctaw Nation consequently you will be placed upon a doubtful card, and the testimony that you have given today and any future statements, affidavits or proofs that you may see fit to file will be forwarded to the Secretary of the Interior when the rolls are forwarded to him for approval. You will be notified of the decision of this Commission by mail.

By Mr. Pelle:

The Choctaw Nation would request that the statement of Peter Waytubby in the case of Joanna McDonald, also his former statement in the case of Emily Fields, be made applicable to this case. Other testimony will be furnished and filed at Muskogee by the Choctaw Nation.

By the Commission:

Q What is your father,s name? A Genie Fields.
Q Is he a citizen? A No sir.
Q Are you married? A No sir.

Brown McDonald, being sworn by Acting Chairman Bixby, says that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony of the above named witness, and that the foregoing is a full, true and complete transcript of his stenographic notes.

Brown McDonald

Sworn to and subscribed before me this 14th day of June, 1900, at Colbert, Indian Territory.

Acting Chairman.

O.L.J.

O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Emily Fields, et al., as Choctaw freedmen, consolidating the applications of

Emily Fields	17 D 128
Joanna McDonald, et al.	17 D 79
Robert Townsend	17 D 169
Viney Nail, et al	17 D 172
Eveline Bryant, et al	17 D 80
Jim Townsend	17 D 81
Sidney Fields, et al.	17 D 82
Rena Paris	17 D 83
Sterling Williams, et al.	17 D 84
Charley Fields, et al.	17 D 85
Madison Fields, et al.	17 D 86
Alexander Fields	17 D 87
Horace Fields	17 D 88
Mary Belvin	17 R 10

D E C I S I O N .

It appears from the census card records in this case that on August 24, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Emily Fields as a Choctaw freedman; that on June 11, 1900, applications were made to said Commission for enrollment as Choctaw freedmen by Joanna McDonald for herself and her four minor children, Fanny, Lennie, Paralee and Cleveland McDonald; by Eveline Bryant for herself and her two minor children, Oscar Osborne and Leroy Bryant; by Jim Townsend for himself; by Sidney Fields for himself and his five minor children, Clara, Carrie, Ephriam, Wilburn and Mary Fields; by Rena Paris for herself; and by Sterling Williams for himself and his two minor children, Lewis and Virdie Williams; that on June 12, 1900, applications were made by Charley Fields for the enrollment of himself and his two minor children, Clifton and Willy Fields; by Madison Fields for himself and his minor child, Emma Fields; ~~by Madison Fields for himself and his minor child, Emma Fields;~~ by Alexander Fields for himself and by Horace Fields for himself as Choctaw freedmen; that on November 20, 1902, application was made by Robert Townsend for the enrollment of himself; that on November 21, 1902, application was made by Viney Nail for the enrollment of herself and her minor nephew and niece, Ed and Virgie Stevens; and that on August 22, 1899, application was made by Mary Belvin for the enrollment of herself as a Choctaw freedman.

It appears from the records in the possession of this office that Virdie Williams, minor applicant in 17 D 84, has heretofore been enrolled as a Choctaw freedman, her name (as Odessa May Williams) appearing as number 3430 upon a list prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats.,641), of persons entitled to enrollment as Choctaw freedmen, and approved by the Secretary of the Interior September 26, 1903.

It further appears from the record herein and from the census card records in this case that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Charley Fields and Rena Paris are the children of the applicant, Emily Fields, and Eugene Fields, a non-citizen; that Emma Fields is the daughter of the applicant, Madison Fields, and Frances Fields, a non-citizen; that Clifton and Willy Fields are the children of the applicant, Charley Fields, and Biddy Fields, a non-citizen; that Lewis Williams is the son of the applicant, Sterling Williams, and Hattie Williams, a non-citizen; that Fanny , Lennie, Paralee and Cleveland McDonald and Viney Nail are the children of the applicant, Joanna McDonald, and Andy McDonald, a non-citizen; that Robert Townsend is the son of the applicant, Joanna McDonald, and Isom Townsend, a non-citizen; that Ed and Virgie Stevens are the children of Will Stevens, a non-citizen, and Lou Stevens (now deceased, and born subsequent to the war), who was the daughter of the applicant, Joanna McDonald, and Andy McDonald, above mentioned; that Eveline Bryant is the daughter of the applicant, Joanna McDonald, and John Williams, a non-citizen; that Oscar Osborne is the son of said Eveline Bryant and Cornelius Osborne, a non-citizen; that Leroy Bryant is the son of Eveline Bryant and Russell Bryant, a non-citizen; that Jim Townsend is the son of Isom Townsend, a non-citizen, and Ellen Townsend (now deceased - and that Clara, Carrie, Ephriam, Wilburn and Mary Fields are the children of the applicant, Sidney Fields, and Mattie Fields, a non-citizen.

It further appears from the record herein that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Emma Fields, Charley Fields, Clifton Fields, Willy Fields, Sterling Williams, Lewis Williams, Rena Paris and Robert Townsend, were born subsequent to the war of the rebellion, and claim their right to enrollment as Choctaw freedmen by reason of being descendants of the principal applicant, Emily Fields; that the applicants, Fanny McDonald, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, and Leroy Bryant, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Joanna McDonald; that Jim Townsend claims his right to enrollment by reason of being a descendant of Ellen Townsend; and that Clara, Carrie, Ephriam, Wilburn and Mary Fields, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Sidney Fields.

It is alleged that said Emily Fields, Sidney Fields, Joanna McDonald and Ellen Townsend (now deceased), who were born prior to the war of the rebellion, were the slaves of Dock (or John) and Clark McCoy, during and at the close of the war of the rebellion.

The preponderance of the evidence, however, shows that the persons above mentioned, were, during and at the close of the war of the rebellion, the slaves of a white man, and resided in the state of Texas at the date of the treaty of Fort Smith.

The record herein further shows that the applicants, Joanna McDonald and Fanny McDonald, died prior to September 25, 1902.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that the applicants, Emily Fields, Sidney Fields, Clara Fields, Rena Paris and Sterling Williams, are identified upon the 1885 Choctaw freedmen

census roll, Blue County, numbers 1154, 1163, 1164, 1165 and 1155, respectively. The applicants, Emily Fields, Charley Fields and Madison Fields, are identified upon the 1896 Choctaw freedmen census roll, Blue County, numbers 1452, 1451 and 1441, respectively.

I am, therefore, of the opinion that the applications for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Eli Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephriam Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, AlexanderFields, ~~Horace Fields and Mary Belvin as Choctaw~~ freedmen, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats.,495) and July 1, 1902 (32 Stats.,641), and it is so ordered.

I am further of the opinion that the application for the enrollment of Joanna McDonald and Fanny M Donald as Choctaw freedmen should be dismissed, and it is so ordered.

(Signed) Tams Bixby,
Commissioner

Muskogee, Indian Territory,

Jul 10 1906.

17-D-88 et al.

Muskogee, Indian Territory, July 10, 1906.

Horace Fields,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying your application for enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

Commissioner.

Registered.

Incl. 17-D-88 et al.

17-D-128 et al.

Muskogee, Indian Territory, July 10,1906

COPY.

Charles F. McPherren,

Attorney at Law,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

Tams Bixby

Commissioner.

Incl. 17-D-128 et al.

17-D-128 et al

Muskogee, Indian Territory, July 10, 1906

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Joanna McDonald and Fannie McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Incl. 17-D-128 et al.

Muskogee, Indian Territory, July 10, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephraim Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields, and Mary Belvin as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated July 10, 1906, denying said applications, and dismissing the applications for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen.

Respectfully,

Commissioner.

2 Incl. 17-D-128 et al.

Through the
Commissioner of Indian Affairs.

Choc FR D 89 Clayborn Garland

Granted Jan 19, 1906
and record trans to Choc Freedmen card 1545
Feb 3, 1906

empty

FR D 89

Choc FR D 90 Daniel wrenn

FR D 90

[redacted]

No 90

Application

Daniel Wrenn.

as a

Choctaw freedman.

REFUSED. FEB 27 1907

RECORD FORWARDED DEPARTMENT.

FEB 27 1907

ACTION APPROVED BY
SECRETARY OF INTERIOR. MAR 4 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. APR 8 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT. APR 8 1907

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT. APR [illegible] 1907

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

MUSKOGEE, MARCH 31, 1900.

IN THE MATTER OF THE APPLICATION FOR ENROLLMENT AS A CHOCTAW FREEDMAN OF DANIEL WRENN FOR HIMSELF AND HIS MINOR CHILDREN.

Daniel Wrenn, being duly sworn, on his oath testifies as follows:

Q What is your name? A Dan Wrenn.

Q How old are you? A I don't know, sir, just exactly; I am 35 or 40 ~~something, I don't know.~~

Q Where do you live? A I live in the Chickasaw Nation.

Q How long have you lived there in Indian Territory? A I have been living there all my life, off and on, it is my proper home.

Q What was your father's name? A Wilson Wrenn.

Q And what was your mother's name? A Clara Wrenn.

Q Are they living? A. No, both dead.

Q Who was you the slave of? A Pinckney Brown

Q Your father's owner was who? A Wrenn.

Q What was his name? A Wilson Wrenn

Q And your father took his owner's name? A Yes sir.

Q And your mother's owner was who? Wilson Wrenn.

Q Have you any children? A Yes sir.

Q How many? A Ten.

Q Give their names and ages? A . Babe Wrenn, 23, Donah Wrenn, 21; Mollie Wrenn, 20; Clemmie Wrenn, 18; Johnnie Wrenn17; George Wrenn 15; Matilda Wrenn, 13; Elmo Wrenn, 11; J. D. Wrenn, 5; Dan Wrenn 2.

Q Is your wife a Freedman of the Choctaw Nation? A No sir, she is a non-citizen.

Q Have you ever been outof the Territory? A No sir, not more than just a trip out.

Q What is your post office? A Ren, Indian Territory.

Q Have you ever bee recognized by the authorities of the Choctaw Nation as a Freedman? A No sir, I never have been before any of them, never have talked with any of them.

Q Didn't you know that the Choctaw Freedmen were being registered at the same time the Indian were? A Yes sir.

Q Why didn't you register then? A When they was down there close to me I was sick, and afterwards I thought it was a kind of a fraud and didn't try to register.

Q Have you got a marriage license between yourself and your wife? A Yes sir.

Q Your wife is still living? A Yes sir.

Q All of these children are living? A Yes sir.

Choctaw Freedmen

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND. TER., JUNE 14, 1900.

In the matter of the application of Daniel Wrenn for the enrollment of himself and his minor children as Choctaw freedmen, said Wren being sworn, testified:

By the Commission:
Q What is your name? A Dan Wrenn.
Q How old are you? A I don't know.
Q About how old? A I believe between 35 and 40.
Q You make application for the enrollment of yourself and your minor children as Choctaw freedmen? A Yes.
Q Do you remember the Civil War? A No sir.
Q Were you the slave of a Choctaw Indian? A Yes.
Q Well, you must remember that war if you were a slave? A No sir, I don't recollect when they were fighting, I recollect about the last of it.
Q How old were you when the war closed? A I reckon two or three years old.
Q Where do you live? A In Pickens county, Chickasaw Nation close to Ardmore.
Q How long have you lived in the Chickasaw Nation? A Two years.
Q Where did you live before you went there? A Some of the time over in Texas before I went there.
Q How long did you live in the State of Texas? A About five years.
Q Do you remember the exact date you came back from Texas into the Indian Territory about two years ago? A No sir, not exactly the very date.
Q About when? A Along about the first of year before last--January or February.
Q January or February of 1898 you came back from Texas? A No sir, I have been here longer than that, I was mistaken. I have been here about four years.
Q You are a farmer? A Yes.
Q How many crops have you made in the Chickasaw Nation since you came back from Texas? A This is the fourth one.
Q Where were you during the last Presidential election? A In Texas.
Q You were in Texas on November 3, 1896? A Yes.
Q How long was it after that time before you moved to the Indian Territory? A I made a wrong statement thinking of the wrong election and I want to correct it by saying in 1896 I know that I came over here the first of 1896, ~~xxxx

Choctaw Freedman
Dan Wrenn.

Q Was his owner a white man? A Yes.
Q What was your father's owner's name? A Buck Wrenn.
Q X White man? A yes.

Q Is your father living? A No sir.
Q What is the name of your mother? A Clara Brown.
Q Is Clara living? A No sir.
Q When did she die? A When I was small.
Q She was the slave of a Choctaw Indian? A Yes.
Q What was her owner's name? Pink Brown.
Q Were you in the Choctaw Nation in September 1865? A Yes.
Q You swear positively that on the 13th day of September, 1865, you were in the Choctaw or Chickasaw nation? A yes.
Q Which nation? A It is on the line of the Choctaw Nation.
Q At what point in the Choctaw Nation? A Close to Atoka.
Q Were you outside of the Choctaw Nation within two years from the time you were freed? A No sir.
Q How long have you lived outside of the Choctaw and Chickasaw Nations since you were freed? A In all I reckon it would amount to maybe 10 years, I don't know.
Q Are you married? A yes.
Q Is your wife a citizen of the United States or Choctaw citizen? A United States citizen.
Q You make no claim for her? A No sir.
Q Have you any children? A Yes.
Q Give the names of your children now under 21 years of age and living with you? A Mollie about 20 years old; Clemmie about 18 years old; Johnnie about 16 years old; George about 13 years old; Matilda about 11 years old; Elmo about 10 years old; J.D. about 5 years old and Dan about 2 years old.
Q Is that all? A yes.
Q You are sure about that? A I think I is.
Q Your application is for the enrollment of yourself and your eight minor children whom you have named as Choctaw freedmen? A Yes.
Q Have you your marriage license? A No sir.
Q Have you a marriage c/ertificate? A I haven't it with me.
Statement: Before your children can be enrolled it will be necessary for the Commission to be furnished with this marriage license and certificate.
Q Did your name ever appear upon any of the Choctaw tribal rolls as a Choctaw freedman? A No sir.
Q You are the same Daniel Wrenn who appeared at Muskogee before this Commission on the 31st day of March, 1900, and made application for the enrollment of yourself and minor children? A Yes.

WILLIAM BINKS, witness on behalf of the applicant, being sworn testified:
Q What is your name? A William Binks.
Q What is your age? A 56.
Q Where do you live? A Ardmore.
Q Do you know this man? A Yes.
Q What is his name? A Wrenn.
Q What is his given name? A I don't know.
Q How long have you known him? A About 22 or 23 years.
Q Where has he been living ever since you have known him? A Well, he has been in and out I suppose. In and out this nation. I don't know exactly his whereabouts all the time. He has been living for four years on Hickory.
Q Did you know his master?x What is his name? A Pinkey Brown.
Q Was his master an Indian? A Yes.
Q You have been knowing him for 22 years? A Yes.
Q Know his children? A I know some of them.

Choctaw Freedman
Dan Wrenn-3.

Q What is he? A Choctaw freedman.
Q Do you know anything else about the case? A I know he belonged to Pinkey Brown that,s about all.

By the Commission:
Q You know this man before the Civil war? A Yes.
Q You knowhe belonged to Pinkey Brown? A yes.
Q Was Pinkey Brown a Choctaw Indian? A yes.
Q About what proportion? A Nearly full blood; some would hall him half breed, but I called him full blood.
Q You swear positively at this time that at the time the slaves were freed that man was ~~living~~ the slave of Pinkey Brown, a Choctaw Indian? A Yes.
Q Did you see this man within two years after the slaves were freed? A yes.
Q Where? A I saw him and his rotherdown here at Double Springs meeting-house in the Choctaw Nation.
Q What time was it you saw him? A I was carrying on a meeting in August or September, I was carrying on a meeting there, and I saw him and his mothers there.
Q August or September what year? A It was along in '65.
Q About a year after you were freed ? A yes.
Q Do you know whether they were living in the Choctaw Nation at that time or not? A Yes, close to a place they called~~ex~~ Old Perryville.
Q Do you know how long it was before this man moved out of the Territory? A I think it was two or three years after his mother taken sick and she went to Texas to a doctor.
Q That would make it about 68 or '69 that he left here? A yes.
Q How long did he stay away, do you know? A I don't know.
Q Were you present at his marriage? A No sir.

By Mr. Murry:
Q Where did Pinkey Brown live at? A He lived in here close to Boggy.
Q What county? A Atoka county.
Q Do you know the names of any of his other darkies? A yes.
Q Give the names of some of them? A I know Uncle George Brown and Delphy Brown and Emily. He had a whole lot of them-- I could not begin to call all the names of them.

By the Commission:
Q How does it happen that your name does not appear upon any of the rolls of Choctaw freedmen? A I never made application for it until this year.
Q You never made application to the Choctaw tribal authorities for enrollment? A No sir.
Q Do you remember when ~~and where~~ the roll of Choctaw freedmen was prepared about 15 years ago? A Yes,
Q Where were you then ? A I was here, but did not go. I did not understand how to get into it. Some one told me I would have to pay so much to get ~~in in~~ someone to represent me and I didn't have the money? A Where were you living then? A In the Chickasaw Nation.

Roll of Choctaw freedmen prepared by the Choctaw tribal authorities in the year 1885 is examined and neither the name if the applicant nor any of his children are found therein.
Q You were not in the Chickasaw nation at the time the roll of Choctaw freedmen of 1896 was prepared by the Choctaw tribal authorities? A yes, I was. I came in here the last of that year.
Q Do you remember when that roll of '96 was preapred by the Choctaw tribal authorities of Choctaw freedmen? A Yes, I was sick

Choctaw Freedmen
Dan Wreen- 4.

then and could not get to it.
Q Where were you living then? A Close to where I am living now in the Chickasaw Nation.

The roll of Choctaw freedmen prepared by the tribal authorities in the year 1896 is examined and neither the names of the applicant nor any of his minor children are found thereon.

Brown McDonald, being sworn by Acting Chairman Bixby, says that as Stenographer to the Commission to the Five Civilized Tribes, he reported the testimony of the above named witnesses, and the foregoing is a true and correct transcript of his stenographic notes.

Brown McDonald

Sworn to and subscribed before me this 18th day of June, 1900, at Colbert, Indian Territory.

Acting Chairman.

Certificate of marriage,

Pontatoc County, Chickasaw Nation.

I Rev. Wm. Young a minister of the Gospel do hereby certify that on the 10 day of September 1876 I did duly and under the Common Law marriage solemonize the rights and holly bonns of matrimony between Dan Wren and Margarette Lacy.

Witness my hand this 10th day of September, 1876.

Wm. Young,
Ordained Minister.

This is a role of Dan Wren family.

1) Babe Wrenn. born feb. 21th 1877.

2) Donah Wrenn. born April 7th 1879.

3) Mollie Wrenn. " Nov. 26th,1880.

4) Clemmie Wrenn. " April 12,th,1882.

5) Johnnie Wrenn. " Nov. 24th,1883.

6) George Wrenn. " Sept. 27th,1885.

7) Matilda Wrenn. " August 17,1887.

8) Elmo Wrenn. " June 16, 1889.

9) J. D. Wrenn. " April 12,1895.

10) Dan Wrenn. " Jan. 30, 1878.

May 19th 1900.

Roll of Children.

Nos.	Names.	Ages.
1.	Babe Wrenn	23
2.	Donah "	21
3.	Mollie "	20
4.	Clemmie "	18
5.	Johnnie "	17
6.	George "	15
7.	Matilda "	13
8.	Elmo "	11
9.	J. D. "	5
10 .	Dan "	2

IN RE
Application for Enrollment of
INFANT CHILD

as a citizen of

Nation

Approved *190*

Commissioner.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Babe Wrenn (Here insert name of child.), born on the 21st day of Feb., 1877

Name of Father: Dan Wrenn a citizen of the Choctaw Nation.

Name of Mother: Margarett Wrenn a citizen of the Nation.

Postoffice Ran, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, }
Southern DISTRICT. }

I, Margarett Wrenn, on oath state that I am 38 years of age and a citizen by Nation; that I am the lawful wife of Dan Wrenn, who is a citizen, by Freedman, of the Choctaw Nation; that 10 children (Male or Female.) were born to me whose respective ages and names are as follows are now living and whose names are hereunto attached and made a part of this affidavit, Wrenn day of, 1; that said child

her
Margarett X Wrenn
mark

WITNESSES TO MARK:

(Must be Two Witnesses.) Katty Clay
Liear Brown

Subscribed and sworn to before me this 21 day of May, 190 0.

S. M. Barsom
Notary Public.
For the Southern District, I.T.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, }
Southern DISTRICT. }

I, Emeline Johnson, a midwife, on oath state that I attended on Mrs. Margarett Wrenn, wife of Dan Wrenn on the 21st day of February, 1900; that there was born to her on said date a girl (Male or Female.) child; that said child is now living and is said to have been named Babe Wrenn

Emeline Johnson.

WITNESSES TO MARK:

(Must be Two Witnesses.) Katty Clay.
Liear Brown.

Subscribed and sworn to before me this 21 day of May, 190 0.

S. M. Barsom
Notary Public.
for the Southern District, I.T.

Choctaw. Indexed

~~INDEX~~

IN RE

Application for Enrollment of
infant
~~MINOR~~ **CHILD**

~~Act of Congress Approved~~
~~April 26, 1906~~

Collis Wesley Wren

as a citizen of

Choctaw **Nation.**

Approved Oct 5 1901 **190**

Tams Bixby
Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVIL)
IZED TRIBES. FILED

Oct 5 1901

Tams Bixby,
Acting Chairman.

Choctaw Freedmen.
D-90

BIRTH AFFIDAVIT

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Collis Wesley Wren, born on the 21 day of Aprial 901
[Here insert name of child]

Name of Father: Daniel Wren a of the Choctaw freadman Nation.

Name of Mother: Margarett Wren a citizen of the United States Nation.

Tribal

Postoffice Ran, Puckens County,
Chickasaw Nation, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
District.

I, Margarett Wrenn, on oath state that I am 40 years of age and a citizen by U.S. of the U.S. Nation; that I am the lawful wife of Daniel Wren, who is a citizen, by Freedman of the Choctaw Nation; that a maile [Male or Female] child was born to me on 21 day of April 901; that said child has been named Collis Wesley Wren and is now living.

Margirtt Wren.

WITNESSES TO MARK:

[Must be Two Witnesses]
Henry Recker.

Subscribed and sworn to before me this 1 day of Oct 1901.

S. M. Ransom
Southern District. Notary Public

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.

I, M. Mannering, a physician, on oath state that I attended on Margarett Wrenn, wife of Dan Wrenn on the 21 day of April 901; that there was born to her on said date a male [Male or Female] child; that said child is now living and is said to have been named Collis Wesley Wrenn.

M. Mannering.

WITNESSES TO MARK:

[Must be Two witnesses]

Subscribed and sworn to before me this 3 day of Oct. 1901.

(SEAL)

J. L. Mullen,
Notary Public.

DEPARTMENT OF THE INTERIOR, COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED :

APR 19 1905

Tams Bixby, Chairman.

17-D-90

Ran, I. T. Apr. 14,1905.

Department of the Interior, Commission to the Five Civilized Tribes.
Southern District of Indian Territory.

I,Daniel Wren, of lawful age being duly sworn, upon oath depose and say:That I am of a Choctaw Freedman & an applicant for enrollment upon the roll of the Commission to the Five Civilized Tribes of Indian Territory as such Freedman for myself and my lawful children, towit:

Babe Wrenn,Donah Wrenn, Mollie Wrenn, Clemmie Wrenn; Johnnie Wrenn, George Wrenn, Matilda Wrenn, Elmore Wrenn, J. D. Wrenn and Daniel Wrenn.

Collice Wrenn was born April 21st 1901 and died February 3rd 1903, and that application for myself and my said true and lawful children is now pending before said Commission.

(Signed) Daniel Wrenn.

Subscribed and sworn to before me this 14 day of April 1905.

(SEAL)

(Signed) T. S. E. Brown.
Notary Public.

My commission expires on the 9th day of May 1906.

Muskogee, Indian Territory, May 25, 1900.

Mr. Daniel Wrenn,

Ran, Indian Territory,

Dear Sir:

You appeared before this commission as an applicant for the enrollment of yourself and ten children as Choctaw Freedmen, on March 31st, 1900. At that time the testimony given by you was not sufficient upon which this Commission could base a decision, ~~and it will therefore be necessary for~~ to appear again before it in person, so that a sufficient statement can be taken upon which a decision can be rendered by the Commission. You can either do so at this office, or at Atoka, from June 4th to June 8th, or at Colbert from June 11th to June 16th, 1900 inclusive. It is desired that you appear at one of these latter appointments as at that time representatives of the Choctaw and Chickasaw Nation will be before the Commission for the identification of Freedmen.

Yours truly,

Acting Chairman.

17-B-90.

Muskogee, Indian Territory, August 18, 1904.

Daniel Wrenn,

Ban, Indian Territory.

Dear Sir:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of giving your testimony relative to the rights of yourself and children as freedmen of the Choctaw Nation, or you may appear for this purpose at the general office of the Commission, Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

17-D-90.

Muskogee, Indian Territory, April 6, 1905.

Daniel Wrenn,

Ran, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of yourself and children, you are advised that before disposition can be made of said application, ~~it will be necessary~~ for you to furnish the Commission your affidaivt setting forth the names of your children now living, also the names of those dead, if any, giving date of death.

You should furnish the affidavit above referred to at the earliest possible date, in order that disposition may be made of your application.

Respectfully,

Commissioner in Charge.

17-D-90.

Muskogee, Indian Territory, July 19, 1905.

Daniel Wrenn,

Ran, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of yourself and children as Choctaw Freedmen, it is necessary that you appear in person with two or more reputable witnesses, and furnish testimony from which your right to enrollment can be determined. This appearance may be made either at the Chickasaw Land Office at Ardmore, Indian Territory, or at the General Office at Muskogee, Indian Territory. Inasmuch as the testimony of William Links has already been taken it will not be necessary to present him again as a witness in your behalf.

This matter should receive immediate attention.

Respectfully,

Commissioner.

17-D-90.

Muskogee, Indian Territory, July 19, 1905.

Chief Clerk Chickasaw Land Office,

Ardmore, Indian Territory.

Dear Sir:

I have this day directed Daniel Wrenn of Ada, Indian Territory, to appear at your office with two or more reputable witnesses and furnish testimony relative to his right, and the right of his children, to enrollment as Choctaw Freedmen.

When such appearance is made you will please take his testimony and the testimony of his witnesses upon the following points.

Ascertain the name of his mother and to whom she belonged. Ascertain to whom he belonged at the commencement and at the close of the war; where he lived when the war closed; how old he was at that time; where he has lived since the war closed and up to the present time; the name of his wife; when he was married; the names of all his children who are now living; the names of such of his children as have died, with the dates of their deaths; whether they have always made their home with him, and if not, where they have resided.

The witnesses he presents should be carefully interrogated as to their knowledge, and means of knowledge, with

2-C-C-L-O.

reference to the name of his owner, and whether said owner was a Choctaw or Chickasaw, and as to Wrenn's residence at the close of the war, and at the date of the treaty of Fort Smith.

In the original application made March 31, 1900, Babe Wrenn and Donah Wrenn are mentioned, although their names are not found on the card on which the names of the principal applicant and his other children appear. Testimony should be taken as to these two, however, as well as with reference to the others.

When the testimony has been transcribed please forward same to this office.

Respectfully,

Commissioner.

Ardmore, Indian Territory, December 4, 1905.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 27, 1905 in which you state that on July 11, 1905 you directed Daniel Wrenn, of Ran, Indian Territory to appear before this office with one or more reputable witnesses and furnish testimony relative to the rights of himself and children to enrollment as Chickasaw freedmen, and you ask for a report whether Daniel Wrenn appeared with his witnesses for the purposes indicated.

In reply you are advised that no appearance has been made at this office by Daniel Wrenn for the purpose of giving testimony as above.

Respectfully,

(Signed) Fred T. Marr,

Chief Clerk.

Commissioner to Five Tribes.

No. 54115
Received Dec 6 1905.

Muskogee, Indian Territory, February 22, 1907.

Daniel Wrenn,

Colbert, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of yourself and your children you were advised by telegram on this date as follows:

"Appear at this office immediately to introduce testimony in support of your application as Choctaw Freedmen."

Respectfully,

Commissioner.

17-D-90.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

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12 app P

In the matter of the application for the enrollment of Daniel Wrenn, et al., as Choctaw freedmen.

-: D E C I S I O N :-

It appears from the record herein that on March 31, 1900, at Muskogee, Indian Territory, Daniel Wrenn made application to the Commission to the Five Civilized Tribes for the enrollment of himself and his children, Babe, Donah, Mollie, Clemmie, Johnnie, George, Matilda A., Elmo, J. D., and Dan Wrenn, as Choctaw freedmen. On October 6, 1901, written application was made for the enrollment of Collis Wesley Wrenn, born April 21, 1901, as a Choctaw freedman.

Although ample opportunity has been afforded the applicants to show by satisfactory evidence that they are entitled to enrollment as Choctaw freedmen, they have failed to do so.

I am of the opinion that following the ruling of the Department in the cases of Eliza J. Bryant, et al. (I.T.D. 544-1904), William Rector (I.T.D. 1468-1904), Minnie Duncan, et al. (I.T.D. 1470-1904), Samantha Chambers (I.T.D. 2296-1904), Ed Williams (I.T.D. 4230-1904), Moses Ross (I.T.D. 6056-1904), Florence Bratcher (I.T.D. 12692-1904) and Frankie Grimmett (I.T.D. 17908-1905), the application for the enrollment of Daniel Wrenn, Babe Wrenn, Donah Wrenn, Mollie Wrenn, Clemmie Wrenn, Johnnie Wrenn, George Wrenn, Matilda A. Wrenn, Elmo Wrenn, J.D. Wrenn, Dan Wrenn and Collis Wesley Wrenn as Choctaw freedmen should be denied, and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

FEB 27 1907

17-D-90

COPY

Muskogee, Indian Territory, February 27, 190 7.

Daniel Wrenn,

Colbert, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 27, 1907, denying the application for your enrollment and for the enrollment of Babe Wrenn, Donah Wrenn, Mollie Wrenn, Clemmie Wrenn, Johnnie Wrenn, George Wrenn, Matilda A. Wrenn, Elmo Wrenn, J. D. Wrenn, Dan Wrenn and Collis Wesley Wrenn as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informedof the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
Incl. 17-D-90.

17-D-90

COPY

Muskogee, Indian Territory, February 27, 1907.

Clinton O. Bunn,
Attorney-at-law,
Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 27, 1907, denying the application for the enrollment of Daniel Wrenn, Babe Wrenn, Donah Wrenn, Mollie Wrenn, Clemmie Wrenn, Johnnie Wrenn, George Wrenn, Matilda A. Wrenn, Mose Wrenn, J. D. Wrenn, Dan Wrenn and Collie Wesley Wrenn as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
Incl. 17-D-90.

17-D-90.

COPY

Muskogee, Indian Territory, February 27, 1907.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw & Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 27, 1907, denying the application for the enrollment of Daniel Wrenn, Babe Wrenn, Donah Wrenn, Mollie Wrenn, Clemmie Wrenn, Johnnie Wrenn, George Wrenn, Matilda A. Wrenn, Elmo Wrenn, J. D. Wrenn, Dan Wrenn and Collis Wesley Wrehn as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Incl. 17-D-90.

COPY

Muskogee, Indian Territory, February 27, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Daniel Wrenn, Babe Wrenn, Denah Wrenn, Mollie Wrenn, Clennie Wrenn, Johnnie Wrenn, George Wrenn, Matilda A. Wrenn, Elma Wrenn, J. D. Wrenn, Dan Wrenn and Collis Wesley Wrenn as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated February 27, 1907, denying said application.

Respectfully,

SIGNED Tams Bixby

Commissioner.

2 Incl.

Through the
Commissioner of Indian Affairs.

D.S. 12272.
I.T.D. 7216-1907.
L.R.S.
RIDGELY.

J.J.-Fr.
(SH.

DEPARTMENT OF THE INTERIOR,
WASHINGTON,

March 4, 1907.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following citizenship cases, adverse to the applicants, are hereby affirmed. A copy of Indian Office letter of March 2, 1907 (Lands 21724, etc.), submitting your reports, andrecommending that your decisions be affirmed, is inclosed.

Title of Case.	Date of your letter of transmittal.
Alford Washington, Choctaw by blood,	February 28, 1907.
Charley Kiehn, Choctaw by blood,	"
Florence Whitely, Chickasaw freedman,	"
Sirus Lewis, Choctaw freedman,	"
Kate A. Beaten, Choctaw freedman,	"
Daniel Wrenn, et al., Choctaw freedmen,	"
Solomon Green, Choctaw freedman,	"
Joseph R. Russell, Choctaw by intermarriage	"
Susan Mitchell, Chickasaw freedman,	"
Doreen Crumpton, Chickasaw by intermarriage	"
and Clarence C. Nalich, Chickasaw by blood,	February 26, 1907.

A copy hereof and all the papers in the cases have been sent to the Indian Office.

Respectfully,

E. A. Hitchcock,

Secretary.

1 inc. and 20 inc.
for Ind. Off.

W.S.F. 3-5-07.

Land

COPY

References in body of letter.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON,

March 2, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith, several reports of Commissioner Bixby forwarding the records of proceedings in the matter of the applications for enrollment of the following persons:

21,786-1907. Sirus Lewis as a Choctaw freedman.

21,787-1907. Kate AuBenton as a Choctaw freedman.

21,788-1907. Daniel Wrenn, Babe Wrenn, Dunah Wrenn, Mellie Wrenn, Clemmie Wrenn, Johnnie Wrenn, George Wrenn, Matilda A. Wrenn, Elma Wrenn, J.D.Wrenn, Dan Wrenn and Collis Wesley Wrenn, as Choctaw freedman.

21,789-1907. Solomon Green as a Choctaw freedman.

21,790-1907. Joseph R. Russell as a citizen by intermarriage of the Choctaw Nation.

21,791-1907. Florence Whitely as a Chickasaw freedman.

21,792-1907. Alford Washington as a citizen by blood of the Choctaw Nation.

21,793-1907. Charley Hicks as a citizen by blood of the Choctaw Nation.

21794-1907. Bereas Crumpton as a citizen by intermarriage and Clarence C. Nelich as a citizen by blood of the Chickasaw Nation.

21,797-1907. Susan Mitchell as a Chickasaw freedman.

The decision of Commissioner Bixby is adverse to the applicants in each of the above cases. The Office has examined the decision of the Commissioner and found them to be correct, and their approval is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

(E.B.M.)P.

17-D-90

Muskogee, Indian Territory, April 8, 1907.

Daniel Wrenn,

Colbert, Indian Territory,

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 27, 1907, denying the application for your enrollment and for the enrollment of Babe Wrenn, Donah Wrenn, Mollie Wrenn, Clemmie Wrenn, Johnnie Wrenn, George Wrenn, Matilda A. Wrenn, Elmo Wrenn, J. D. Wrenn, Dan Wrenn and Collis Wesley Wrenn as Choctaw freedmen.

Respectfully,

Geo. D. Rodgers.

Acting Commissioner.

17-D-90

Muskogee, Indian Territory, April 8, 1907.

Clinton O. Bunn,

Attorney at Law,

Ardmore, Indian Territory,

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 27, 1907, denying the application for the enrollment of Daniel Wrenn, Babe Wrenn, Donah Wrenn, Vollie Wrenn, Clemmie Wrenn, Johnnie Wrenn, George Wrenn, Matilda A. Wrenn, Elmo Wrenn, J. D. Wrenn, Dan Wrenn and Collis Wesley Wrenn as Choctaw freedmen.

Respectfully,

Geo. D. Redwine

Acting Commissioner.

17-D-90

Muskogee, Indian Territory, April 8, 1907.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby advised that on April 8, 1907, the Secretary of the Interior affirmed the decision of this office of February 27, 1907, denying the application for the enrollment of Daniel Wrenn, Babe Wrenn, Donah Wrenn, Mollie Wrenn, Clemmie Wrenn, Johnnie Wrenn, George Wrenn, Matilda A. Wrenn, Elmo Wrenn, J. D. Wrenn, Dan Wrenn, and Collis Wesley Wrenn as Choctaw freedmen.

Respectfully,

Acting Commissioner.

Muskogee, Indian Territory, August 15, 1900.

Mr. Dan Wren,

Ron, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of August 8th, with which you inclose marriage certificate between Dan Wren and Margarette Lacy, which you ask to have filed in support of your application for enrollment as a Choctaw Freedman, and the same has been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

17-D 90

Muskogee, Indian Territory, September 21, 1900.

William Binks,

Ardmore, Indian Territory.

Dear Sir:-

The Commission is in receipt of your letter of the 20th inst., in which you desire to be informed when a hearing can be granted the following applicants for enrollment as Choctaw and Chickasaw Freedmen: Frank Wilson et al and Daniel Wrenn et al.

You state in your letter that these applicants are poor and needy, and do not want to make the trip to Muskogee, unless they can be immediately heard and their matter finally determined. You also request to be informed when the rolls of citizenship of the Choctaw and Chickasaw Nations will be closed.

You are informed that the records of this Commission show that Daniel Wrenn appeared before the Commission at Muskogee on March 31, 1900, and subsequently at Colbert, Indian Territory, June 16, 1900, and it will not be necessary, unless he desires to offer additional testimony, for him to again present himself in person before the Commission for the purpose of making a record in his case.

The records do not show, however, that there has ever been any personal application made by Frank Wilson et al, nor is there any record with this Commission of his case. It will, therefore be necessary for him to present himself in person before the

Commission for the purpose of an examination before any further attention can be paid his application. If he desires to so appear before the Commission, he will be given a full hearing and a record made of his case.

The Commission cannot inform you as to when these cases will be finally determined, but the decision will be reached in each case as soon as possible, and the applicants informed as to the disposition of their claims.

As to the closing of the Choctaw and Chickasaw rolls, you are informed that there is at present no agreement in force between the Choctaw and Chickasaw Tribe of Indians and the United States looking to the closing of the rolls of these Nations, and until such an agreement is made and ratified, this Commission is unable to inform you as to any date upon which said rolls will be closed.

Yours truly,

Acting Chairman.

17-D-90

Muskogee, Indian Territory, October 8, 1901.

Mr. Daniel Renn,

Renn, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a Choctaw freedman of Collis Wesley Renn, the infant son of Daniel and Margaret, born April 21, 1901, and the same being in proper form has been accepted and filed with the records of the Commission as evidence of the child's birth.

Yours truly,

17- D. 90.

17-D 90

Muskogee, Indian Territory, April 19, 1905.

Daniel Wrenn,

Rank, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit which you offer in support of the application for the enrollment of yourself and your children as Choctaw freedman and the same has been filed with the record in this case.

Respectfully,

Chairman.

17-D-90

Muskogee, Indian Territory, November 27, 1906.

Chief Clerk,

Chickasaw Land Office,

Ardmore, Indian Territory.

Dear Sir:

On July 1 , 1906 I directed Daniel Frenn, of Lan, Indian Territory to appear at the Chickasaw Land Office with one or more reputable witnesses and furnish testimony relative to his right and the rights of his children to enrolment as Chickasaw Freedmen, and that you should take his testimony and the testimony of his witnesses upon certain lines.

You will please report whether Daniel Frenn and his witnesses appeared before you for the purposes indicated.

Respectfully,

Acting Commissioner.

17-D-90

Muskogee, Indian Territory, July 2, 1906.

Clinton O. Bunn,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of June 13, 1906, asking for a copy of the affidavits heretofore forwarded in the matter of the application of Daniel Wrenn for enrollment as a Choctaw freedman.

In reply you are advised that it does not appear from the records of this office that affidavits have been filed in the matter of the application of Daniel Wrenn for the enrollment of himself and his children as Choctaw freedmen, other than affidavits to the birth of his children, Babe, Donah and Collins Wesley Wrenn, and it is impracticable to comply with your request for a copy of these affidavits.

Respectfully,

Commissioner.

17-D-90

Muskogee, Indian Territory, July 21, 1906.

Clinton O. Bann,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of June 28, 1906, stating that you are attorney for Daniel Wrenn whose application for the enrollment of himself and his children is pending before this office, and you ask for a copy of the affidavits of Daniel Wrenn and William Binks which have heretofore been filed in this case. You also request to be advised the present status of the application.

In reply you are advised that no action has yet been taken upon the application of Daniel Wrenn for the enrollment of himself and his children as Choctaw freedmen. It appears from the records of this office that the testimony of Daniel Wrenn and William Binks has been taken in this case, and that an affidavit was filed by Daniel Wrenn giving the names of his children. It does not appear, however, that affidavit of William Binks has been filed in this case.

You are further advised that if you will furnish a statement

from Daniel Wrenn to the effect that you are authorized to represent him in the matter of the application for the enrollment of himself and his children, copy of the testimony heretofore taken in this case will be furnished you.

Respectfully,

Commissioner.

17 D 90

DEPARTMENT
Commissioner to th
FILE

FEB 32 1907

Commissioner

CLINTON O. BUNN
ATTORNEY AND COUNSELOR AT LAW
SIMS-PENNINGTON BLDG.

ARDMORE, IND. T.,

THIS IS TO CERTIFY that I have heretofore employed Clinton O. Bunn, of Ardmore, Indian Territory, to represent me in the matter of my application for enrollment and the enrollment of my children as Choctaw freedmen, and that he is still my attorney, and that as such he has full power and authority to act for me and in my behalf in the prosecution of said applications for enrollment.

Dated at Ardmore, Indian Territory, this 12th day of February, 1907.

Dan Wren

Signed in the presence of

Wm O Bunn

J. W. Orr

17-D-90

Muskogee, Indian Territory, February 25, 1907.

Clinton O. Bunn,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 12, 1907, asking for a copy of the testimony of Daniel and William Binks in the matter of the application for the enrollment of Daniel Wren and his children as Choctaw freedmen; also affidavits heretofore filed in this case and advise you what the present status of the case is on the records of this office. You also inclose statement of Daniel Wren to the effect that you are authorized to represent him in the matter of the application for the enrollment of himself and his children as Choctaw freedmen.

There is inclosed you herewith copy of the testimony of Daniel Wren and William Binks in the matter of the application for the enrollment of Daniel Wren and his children as Choctaw freedmen, together with receipt therefor which please sign and return to this office.

You are advised that there are no copies of the affidavits in the files and if you desire certified copies made thereof you

C. O. B. #2

will be necessary that you make request therefor.

You are advised that the case of Daniel Wren and his children is now receiving consideration and when a decision is reached you will be notified of the action taken.

Respectfully,

EB 1-25.

Commissioner.

17-D-90

Received of the Commissioner to the Five Civilized Tribes one copy of the testimony of Daniel Wren and William Binks in the matter of the application for the enrollment of Daniel Wren and his children as Choctaw freedmen.

Clifton R. Breeden

Muskogee, Indian Territory,
February 25, 1907.

D.C.15379.
I.T.D. 7914-1907.
L.R.S.
DIRECT.

J.F.Jr.
RJH.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

March 4, 1907.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following citizenship cases, adverse to the applicants, are hereby affirmed. A copy of Indian Office letter of March 2, 1907 (Lands 21786, etc.), submitting your reports, andrecommending that your decisions be affirmed, is inclosed.

Title of Case.	Date of your letter of transmittal.
Alford Washington, Choctaw by blood,	February 27, 1907.
Charley Hicks, Choctaw by blood,	"
Florence Whitely, Chickasaw freedman	"
Sirus Lewis, Choctaw freedman,	"
Kate A. Benton, Choctaw freedman	"
Daniel Wrenn, et al., Choctaw freedmen,	"
Solomon Green, Choctaw freedman,	"
Joseph R. Russell, Choctaw by intermarriage	"
Susan Mitchell, Chickasaw freedman,	"
Doreas Crumpton, Chickasaw by intermarriage	"
and Clarence C. McLish, Chickasaw by blood,	February 25, 1907.

A copy hereof and all the papers in the cases have been sent to the Indian Office.

Respectfully,

E. A. Hitchcock,

Secretary.

1 inc. and 20 incs.
for Ind. Off.

W.C.F. 3-5-07.

Land

References in
body of letter.

COPY

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

March 2, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith, several reports of Commissioner Bixby forwarding the records of proceedings in the matter of the applications for enrollment of the following persons:

21,786-1907.	Sirus Lewis as a Choctaw freedman.
21,787-1907.	Kate A. Benton as a Choctaw freedman.
21,788-1907.	Daniel Wrenn, Babe Wrenn, Donah Wrenn, Mollie Wrenn, Clemmie Wrenn, Johnnie Wrenn, George Wrenn, Matilda A. Wrenn, Elmo Wrenn, J.D. Wrenn, Dan Wrenn and Collis Wesley Wrenn, as Choctaw freedmen.
21,789-1907.	Solomon Green as a Choctaw freedman.
21,790-1907.	Joseph R. Russell as a citizen by intermarriage of the Choctaw Nation.
21,791-1907.	Florence Whitely as a Chickasaw freedman.
21,792-1907.	Alford Washington as a citizen by blood of the Choctaw Nation.
21,793-1907.	Charley Hicks as a citizen by blood of the Choctaw Nation.

21794-1907. Doreas Crumpton as a citizen by intermarriage and Clarence C. McLish as a citizen by blood of the Chickasaw Nation.

21,797-1907. Susan Mitchell as a Chickasaw freedman.

The decision of Commissioner Bixby is adverse to the applicants in each of the above cases. The Office has examined the decision of the Commissioner and found them to be correct, and their approval is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

(E.B.M.)P.

REFER IN REPLY TO THE FOLLOWING:

17-D-90

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 8, 1907.

Daniel Wrenn,

Colbert, Indian Territory,

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 27, 1907, denying the application for your enrollment and for the enrollment of Babe Wrenn, Donah Wrenn, Mollie Wrenn, Clemmie Wrenn, Johnnie Wrenn, George Wrenn, Matilda A. Wrenn, Elmo Wrenn, J. D. Wrcen, Dan Wrenn and Collis Wesley Wrenn as Choctaw freedmen.

Respectfully,

Geo. D. Rogers

Acting Commissioner.

MEMORANDA.

(Date) ... ~~1899~~. Rec'd

Name Daniel Wrenn (between 30 ... ~~Badmore~~.

Choctaw? Freed County ... Year ... No.

Chickasaw? No County ... Year ... Page ...

Citizen by blood? NO Mother's citizenship ...

Intermarried citizen? ...

Married under what law? ...

License filed this day, ...

Wife's name, Margret Wrenn

Choctaw? ... County ... Year ... No. ...

Chickasaw? ... County ... Year ... Page ...

Citizen by blood? ... Mother's citizenship ...

Intermarried citizen? ...

Married under what law? ...

License filed this day ...

Names of children:

(20) Mollie ... County ... Year ... Page ... No. ...

(18) Clemea ... County ... Year ... Page ... No. ...

(16) Johnnie ... County ... Year ... Page ... No. ...

(13) George ... County ... Year ... Page ... No. ...

(11) Maltida Ann ... County ... Year ... Page ... No. ...

(10) Elmo ... County ... Year ... Page ... No. ...

(5) J. D. ... County ... Year ... Page ... No. ...

(2) Dan ... County ... Year ... Page ... No. ...

... County ... Year ... Page ... No. ...

... County ... Year ... Page ... No. ...

(Mother) - Clara Brown (Dead) slave of Pickney Brown

(father) - Wellson Wrenn (Dead)

slave of Buck Wrenn (White)

Slave of - Pickney Brown

Record of appearance and testimony given this 16th day of June, 1900.

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

24802

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

Daniel Wrenn,

Colbert, Indian Territory.

MUSKOGEE, IND. T.
MAY 1 1897
REG. DIV. 1977

REFER IN REPLY TO THE FOLLOWING:

17-D-90

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 27, 190 7.

Daniel Wrenn,

Colbert, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 27, 1907, denying the application for your enrollment and for the enrollment of Babe Wrenn, Donah Wrenn, Mollie Wrenn, Clemmie Wrenn, Johnnie Wrenn, George Wrenn, Matilda A. Wrenn, Elmo Wrenn, J. D. Wrenn, Dan Wrenn and Collis Wesley Wrenn as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informedof the same.

Respectfully,

Commissioner.

Registered.
Incl. 17-D-90.

Choc FR D 91 Raynard Douglas

Trans to 17-1561 Jan 20, 1907

empty

FR D 91

Choc FR D 92 Pont Thompson

record trans to Choc FR D100

empty

FR D 92

EMPTY

Choc FR D-94 Louisa McCoy

FR D-94

Mc. Coy

REFUSED

JUN 28 1905

DECISION RENDERED. JUN 28 1905

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS. JUN 28 1905

COPY OF DECISION FORWARDED
APPLICANT JUN 28 1905

RECORD FORWARDED DEPARTMENT.

JUN 28 1905

ACTION APPROVED BY
SECRETARY OF INTERIOR.
OCT - 9 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 17 1905

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

OCT 17 1905

In re application of Louisa McCoy to the Commission to the Five Civilized Tribes at Antlers, I. T., May 15th, 1899, for enrollment as a Choctaw Freedman. Being duly sworn by Commissioner Needles, and examined by him, et al, she testified as follows:-

Q. What is your name? A. Louisa McCoy.

Q. What is your mother's name? A. Anna McCoy. She was a state woman.

Q. Who was your father? A. Sam McCoy.

Q. Who did he belong to? A. John McCoy.

Q. Was he a Choctaw or Chickasaw? A. Choctaw.

Q. Are you married? A. No sir.

Q. Where is your father? A. In the Creek Nation.

(Records show that her father was sold out and her mother was a state woman. (Note: Sam McCoy formerly belonged to G. C. McCoy sold out but returned before the treaty.

(Requested to produce further testimony before applicant could be enrolled)

Department of the Interior,

Commission to the Five Civilized Tribes.

.....

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M A Smiley

Department of the Interior.
Commission to the Five Civilized Tribes.
Antlers, Indian Territory, December 3, 1902.

Choctaw Freedman D-94.

In the matter of the application of Louisa McCoy for enrollment as a freedman of the Choctaw Nation.

R. D. Roebuck, called as a witness, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

Q What is your name? A R. D. Roebuck.
Q How old are you? A Sixty.
Q What is your post office address? A Hugo, Indian Territory.
Q How long have you been a resident of the Choctaw Nation? A About sixty years I guess.
Q You have lived here all your life? A Yes sir.
Q Are you a freedman of either the Choctaw or Chickasaw Nation?
A Freedman of the Choctaw Nation.
Q Are you acquainted with this applicant, Louisa McCoy? A Yes sir; I knew her and her father and mother too.
Q What was the name of her father? A Sam McCoy.
Q What was the name of her mother? A Annie McCoy, she was a states woman.
Q How long did you know Sam McCoy? A I knew him ever since from infancy and knowed his mother.
Q He was a slave? A Yes sir.
Q What was the name of his owner? A McCoy.
Q Do you know his first name? A John and Doc McCoy.
Q Were they Indians or white persons? A Indians.
Q What tribe of Indians were they members of? A Choctaw tribe.
Q Where did these McCoys live? A Kiamitia county.
Q Did you live near their place? A Lived right in the neighborhood
Q Where was Sam McCoy freed? A Sam McCoy was freed I don't remember just exactly whereabouts, somewhere in the neighborhood; directly after freedom him and his mother went to Texas.
Q Were they freed in the same neighborhood on the McCoy place?
A Yes sir, right in the neighborhood.
Q Was he the slave of the McCoys at that time? A Yes sir.
Q How long had they been living on this place before they were freed? A I couldn't tell you, right around in the neighborhood, first one place and then another; I couldn't say exactly how long.
Q Were they there all during the war? A Yes sir, all during the war.
Q Did you state that after Sam McCoy and his mother were freed they went to Texas? A Yes sir, that is my recollection.
Q How soon after they were freed? A I couldn't say, just about freedom or a little before; but after they came back I remember that McCoy went on the roll as a citizen.
Q Enrolled by the Choctaw tribe? A By the Choctaw tribe as my understanding is .
Q Enrolled as a freedman? A Yes sir, that was at Tuskahoma.
Q Do you know anything about Sam McCoy being sold out of the nation? A His mother Harriet went to Texas, but she was brought back.
Q Was that before they were freed? A I couldn't say.
Q You don't know whether they went to Texas before or after they were freed? A No sir, I couldn't say; it was somewhere during the war they went to Texas, and whether they were freed on this or

on the Texas side I don't remember.
Q They went to Texas during the war--while the war was still in progress? A Yes sir.
Q And that was before they were freed? A Yes sir.
Q Were they sold to white men over in the state of Texas? A I reckon so, I couldn't say.
Q Were they over in Texas when the slaves were freed? A I don't remember that.
Q How soon after the freeing of the slaves did they return to the Choctaw Nation? A I couldn't tell you just exactly, I reckon it was eight miles from where I was, and I knew they was back but whether they come back before or after the surrender I couldn't tell.
Q Are you able to state that they were in the Choctaw Nation at the time they were freed? A No sir, I couldn't.
Q Are you able to state whether they were ever sold into the state of Texas? A No sir, I couldn't tell you; I remember them going over there but whether they was sold or hird over there I couldn't say.
Q And that was during the war? A Yes sir, that is during the war to the best of my knowledge.
Q When was the last time you remember of them being on the McCoy place before they were freed? A That must have been somewhere about the opening of the war as near as my remembrance.
Q You don't remember of them being on the McCoy place when the war ended? A No sir, I know they went to Texas before the war was closed but immediately after the war closed they were back there but how long they had been nack I don't remember.
Q Did they come back before or after they were freed? A I couldn't say to be positive.
Q Was this Sam McCoy ever recognized or enrolled by the Choctaw Indians as a freedman? A So said, yes sur; I know he voted there. At first it was objected to when he first came back and I think he got on the rolls at Tuskahoma, and he was recognized as a juror.

(Witness Excused)

Joe Stanley, called as a witness, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

Q What is your name? A Joe Stanley.
Q How old are you? A About seventy four past.
Q What is your post office address? A Frogville, Indian Territory.
Q How long have you lived in the Choctaw Nation? A Always since I was born.
Q Born and raised here? A Yes sir.
Q Never lived anywhere else? A No sir, not for a home any other place than the Choctaw Nation
Q Are you a freedman of the Choctaw Nation? A Yes sir.
Q Are you acquainted with Louisa McCoy? A No sir, I knew her father and grandmother.
Q What was the name of her father? A Sam McCoy.
Q Do you know that he was the father of this applicant? A He claimed her to be his child.
Q Do you know the name of her mother? A No sir, I don't know.
Q How long did you know Sam McCoy? A Ever since he was a kid I reckon.
Q Was he a slave? A He was born a slave.
Q What was the name of his master? A John McCoy and Doc McCoy and their father was Tom McCoy.
Q What were these McCoys---white people or Indians? A Choctaw Indians.

Q Where did they live? A The ones that owned Sam lived right close to Goodwater.
Q In the Choctaw Nation? A Yes sir.
Q Did you live near their place? A Yes sir.
Q What was the name of Sam McCoy's mother? A Emily.
Q She was owned by the same parties? A Yes sir.
Q Do you know where Sam and his mother were freed? A No sir, up here about old Goodland I suppose.
Q Do you know that? A That is where they stayed.
Q Where were they during the war? A They must have been here I reckon.
Q I don't want what you think, but what you know?---Do you know where they were during the war? A Not exactly.
Q Did you ever hear of Emily and Sam being sold out of the nation? A No sir, never did hear of it.
Q Were you living near them during the war? A Yes sir, right down at Goodwater.
Q Did you see them frequently? A Hardly ever except I went down through there sometimes.
Q Do you know then whether they were there during the war or not? A I never heard of them being sold and he was here afterwards.
Q How long after the slaves were freed did you see them here? A A good while, and the last time I seen her granny she married a fellow by name of Geno.
Q Are you able to state that these people were never sold over in the state of Texas? A I never heard of it.
Q Do you know where these people were freed? A Right up here at old Goodland on Horse Creek is where the man that owned them lived.
Q Do you know where they were freed? A I know that is where they lived.
Q Do you know that these McCoys owned Sam and his mother when they were freed? A I never did hear of them being sold.
Q If you don't know anything about it, say so? A I just don't know that.
Q Did you ever know Sam,McCoy's wife? A No sir, never did see her.
Q (By Simon E. Lewis): Who did you belong to when you were set free A Judge Everidge.
Q (by Mr Lewis): Q Were you living close to John and Doc McCoy to know whether they had slaves or not; hadn't they sold Sam and his mother over in Texas before the slaves were freed? A Not that I know of.

(WitnessExcused)

Simon E. Lewis, called as a witness, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

Q What is your name? A Simon E. Lewis.
Q How old are you? A Sixty two.
Q What is your post office address? A McAlester, Indian Territory.
Q Were you ever acquainted with some Choctaw Indians named John and Doc McCoy? A Yes sir, Doc had some other name, but that was the name he went by.
Q Did you know these boys before and during the war? A Yes sir.
Q Did you live near their place? A Yes sir, I lived right a mile or a mile and a half from them during the war.
Q Did you know of the McCoy boys ever owning some slaves by the names of Emily and Sam McCoy? A No sir, they had no slaves when I knew them.
Q When was that? A During the war.
Q Do you know of them ever having a slave named Emily? A No sir,

I never knew their slaves, but they didn't have any when the war ended.
Q Were any slaves set free on their place? A No sir.
Q Did you know of their ever owning any slaves? A No sir, only by hearsay.
Q You lived close enough to them to know if they owned slaves during the war? A Yes sir, we had slaves on our place right near them.
(Witness Excused)

Peter Maytubby, called as a witness, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

Q What is your name? A Peter Maytubby.
Q How old are you? A Sixty five years old.
Q What is your post office address? A Caddo, Indian Territory.
Q Did you ever know some Choctaw Indians by the names of John and Doc McCoy? A Yes sir.
Q When did you know them? A I knew them ever since they were boys
Q Did you know them in war times? A Yes sir.
Q Did you live near their place? A Yes sir, about three miles from where they lived.
Q Did these men have any slaves during the war? A No sir.
Q Do you know whether they ever owned any slaves? A Yes sir, they owned a nigger woman by name of Emily.
Q Did she have any children? A Yes sir.
Q What were the names of her children, do you remember? A I dis-remember her children but she had children.
Q Do you know whether she ever had a boy named Sam? A No sir, I don't know.
Q Do you know what they did with the slave named Emily? A John and Doc sold her to William Spring and old man John Cothron, a nigger dealer, and they took her over into Texas.
Q When was it they sold this woman? A I was about seventeen or eighteen years old when they were sold.
Q That was sometime before the war? A Yes sir, some time before the war.
Q You can state with certainty that these boys owned no slaves during the war? A No sir, they never owned no slaves.
Q You also know that no slaves were set free on their place? A No sir, there were not slaves set free on their place.
(Witness Excused)

----oOoo----

Harry C Riteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 3rd day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date. Harry Chiteen

Subscribed and sworn to before me this 22 day of January 1903.
Charles W Stanger
Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ANTLERS, I.T. Dec.5, 1902.

17-D94

In the matter of the application for the enrollment of the descendants of Emily McCoy as Freedmen of the Choctaw Nation.

James Usray being sworn as a witness, testified as follows:

Examination by the Commission:

Q What is your name? A James Usray.
Q How old are you? A I am 54.
Q What is your post office address? A Hugo.
Q How long have you lived in the Choctaw Nation? A Ever since '62.
Q Are you acquainted- were you acquainted with a slave by the name of Emily McCoy? A I was not acquainted with her; I was at the River when she crossed coming back from Texas to this side.
Q When was this? A In '66. Along about the 20th of September. When she came back carrying Sam McCoy a l ittle boy.
Q Where were these parties coming from? A Texas.
Q Had they been slaves over in Texas? A Yes, said they belonged to MaCarthy a white man in Texas; said they were coming back to McCoy.
Q Had they formerly belonged to a Choctaw Indian? A Yes;Bill Spring McCoy.
Q Were they sold over into Texas? A Yes sir.
Q When? A About the beginning of the War; I think; I don't know; I just saw her coming back; they said she had been sold.
Q Do you know that this woman whom you met at the river there was formerly the slave of Spring and McCoy in the Choctaw Nation? A That(s what they said when she crossed the river.

Examination by Simon E. Lewis:

Q You was living right at the mouth of Boggy then? A Yes sir.
Q Do you remember John and Doc McCoy? A.Yes sir.
Q Did you know of them having slaves in '65 when we all turned our slaves loose? A No sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had above on December 5, 1902, and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Hains

Subscribed and sworn to before me this 31 day of December 1902.

Charles H. Sawyer

Notary Public.

17-D-84.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Louisa Bradley as a Choctaw Freedman.

--:DECISION:--

It appears from the record herein that on May 15, 1899, at Antlers, Indian Territory, application was made to this Commission for the enrollment of Louisa Bradley (as Louisa McCoy), as a Choctaw Freedman.

Further proceedings were had in the matter of said application at Antlers, Indian Territory, December 3rd and 8th, 1902

It further appears from the record herein that the applicant is the daughter of Sam McCoy who, it is claimed, was a slave of John and Doc McCoy, recognized Choctaw citizens.

It further appears from the record herein that the said John and Doc McCoy did not own any slaves during or at the close of the war of the rebellion; that at one time they owned a negro woman named Emily, who was the mother of said Sam McCoy, but that they sold her to a white man living in Texas prior to the commencement of the war.

It further appears from the record herein that the said Sam McCoy was not a resident of the Choctaw-Chickasaw country at the date of the treaty of Fort Smith.

It is therefore the opinion of this Commission that Louisa Bradley is not entitled to be enrolled as a Choctaw Freedman, and that her application for such enrollment should be denied in accordance with the provisions of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO ~~FIVE CIVILIZED~~ TRIBES.

Chairman.

Commissioner.

C. R. Breathitt
Commissioner.

Muskogee, Indian Territory,
JUN 28 1905

17-D-94.

Muskogee, Indian Territory, June 28, 1905.

COPY.

Louisa Bradley,

Hugo, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered June 28, 1905, denying your application for enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED Tams Bixby

Chairman.

Registered.

Enc.-17-D-94.

17-D-94.

Muskogee, Indian Territory, June 28, 1905.

COPY.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered June 28, 1905, denying the application for the enrollment of Louisa Bradley as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Tams Bixby

SIGNED

Chairman.

Enc.-17-D-94.

Muskogee, Indian Territory, June 28, 1905.

COPY.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Louisa Bradley as a Choctaw freedman, including the decision of the Commission, dated June 28, 1905, denying said application.

Respectfully,

Tams Bixby

SIGNED

Chairman.

Through the

Commissioner of Indian Affairs.

2 Enc.- 17-D-94.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

S LRS G.R.

LLB

October 9, 1905.

D.C. 47364-1905.

I. T. D. 9950-1905.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

June 28, 1905, the Commission to the Five Civilized Tribes transmitted the record of the application of Louisa Bradley for her enrollment as a Choctaw freedman, including the decision of the Commission of same date denying said application.

August 8, 1905, the Acting Commissioner of Indian Affairs reporting thereon, recommended that the decision of the Commission denying said application be affirmed. A copy of his letter is inclosed.

The Department concurs in the recommendation made and the decision of the Commission to the Five Civilized Tribes dated June 28, 1905, denying the application of Louisa Bradley for her enrollment as a Choctaw freedman is hereby affirmed.

Respectfully,

E. A. Hitchcock,
Secretary.

1 inclosure.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

Land.
50912-1905.

August 8, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated June 28, 1905, transmitting the record of the application for enrollment as a Choctaw Freedman by Louisa Bradley.

June 28, 1905, the Commission decided adversely to the applicant.

The record shows that the applicant is the daughter of Sam McCoy, who, it is claim, was a slave of John and Doc Mc McCoy, recognized Choctaw citizens. It further appears that John and Doc McCoy did not own any slaves during or at the close of the war of the rebellion; that at one time they owned a negro woman named Emily, who was the nother of Sam McCoy, but that they sold her to a white man in Texas prior to the war.

It further appears that Sam McCoy was not a resident of the Choctaw-Chickasaw country at the date of the treaty of Fort Smith.

In view of the record the approval of the Commission's decision adverse to the applicant is recommended.

Very respectfully,

C. F. Larrabee
Acting Commissioner.

M.M.M.(W)

17-D-94

Muskogee, Indian Territory, October 17, 1905

Louisa Bradley,

Hugo, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior under date of October 9, 1905, affirmed the decision of the Commission to the Five Civilized Tribes, dated June 28, 1905, denying your application for enrollment as a Choctaw freedman.

Respectfully,

Commissioner.

17-D-94

Muskogee, Indian Territory, October 17, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of October 9, 1905, affirmed the decision of the Commission to the Five Civilized Tribes, dated June 28, 1905, denying the application for the enrollment of Louisa Bradley as a Choctaw freedman.

Respectfully,

Commissioner.

Muskogee, Indian Territory, November 23, 1900.

A. H. Bradley,

Grant, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 16th instant in which you desire to be informed if Louise McCoy has been listed for enrollment by this Commission as either a Choctaw or Chickasaw freedman.

You are informed that the records of this Commission show that at Antlers, Indian Territory, on May 15th, 1899, Louisa McCoy, appeared before the Commission and made application for enrollment as a Choctaw freedman, stating that she was the daughter of Sam McCoy, who was a slave of John McCoy, a Choctaw Indian and Anna McCoy a non-citizen, and that her father was at that time a resident of the Creek Nation.

The Commission did not act upon her application at that time and requested that she produce further testimony at some subsequent appointment of the Commission.

It does not appear that she has ever since that time appeared before the Commission and offered any additional testimony in support of her application and the Commission has therefore not rendered any decision as to her rights to enrollment as a Choctaw freedman. If she desires to do so, she can appear before the Commission at its office at Muskogee prior to the forwarding of the final

AHBS

rolls of the Choctaw freedmen to the Secretary of the Interior for his approval.

During the month of December the Commission will not hear applicants or testimony in support of applications for enrollment as citizens of either the Choctaw or Chickasaw Nations, or as freedmen of either of these Nations but has to suggest that if Louisa McCoy anticipates again appearing before the Commission that she do so some time as early after the first of January, 1901, as practicable.

Yours truly,

Acting Chairman.

17-D-94

Muskogee, Indian Territory, January 22, 1901.

Louisa Bradley,

Grant, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of the 19th instant replying to the Commission's letter of the 8th of January containing information as to the enrollment of one, Sam McCoy, 35 years of age of South McAlester, Indian territory, as a Choctaw freedman.

You state in your letter of the 19th instant to the Commission that Sam McCoy is your father and that you were first enrolled as Louisa McCoy.

The Commission has to request that you furnish more specific and concise information as to your purpose in now making this inquiry. Please state when and where you appeared before the Commission as an applicant for enrollment as a Choctaw freedman, your age, whether you applied for the enrollment of any one else besides yourself, the name of your father, the name of your mother who your father and mother were the slaves of and such other information as may enable the Commission to have a clearer understanding of this matter.

Yours truly,

Acting Chairman.

17-1187

Muskogee, Indian Territory, February 8, 1901.

Louisa Bradley,

Grant, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of the 1st instant in which you request that you be furnished with a blank for the purpose of making application for enrollment as a Choctaw freedman. That in your previous letter addressed to the Commission requesting such a blank, you were furnished with a blank application for the enrollment of an infant child.

You now state that you do not desire an application of this description but request one for yourself.

Replying to your letter the Commission has to inform you that it has no blanks of this description. The rules and regulations of the Department of the Interior and of this Commission require that each and every applicant for enrollment must present himself or herself in person before the Commission for the purpose of an examination under oath and that no record can be made of any written application.

In your case however, it appears from previous communications the Commission has had with you that you are the daughter of Sam McCoy and as stated in the Commission's letter of November 23rd, 1900, it appears from our records that at Ardmore, Indian Territory on May 16th, 1899, Louisa McCoy did appear in person and make application for enrollment as a Choctaw freedman. If you are the identical Louisa McCoy who made such application you are requested to so inform the Commission and if you desire to offer any additional

L R S

testimony in support of your application for enrollment as a Choctaw freedman, the Commission will hear you or any witnesses that you may desire to present, at its office in Muskogee, Indian Territory, at any time prior to the submission of the final rolls of Choctaw freedmen to the Secretary of the Interior for his approval. It is suggested that if it is your intention to offer such additional testimony that you do so within the near future.

Yours truly,

Acting Chairman.

17-D394

Muskogee, Indian Territory, February 19, 1901.

Louisa Bradley,

Grant, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 10th instant in which you desire to be informed if you cannot make your statements before a Notary Public and have them forwarded to the Commission in the matter of your application for enrollment as a Choctaw freedman.

The Commission informed you in its letter of February 5th, 1901 that if you were the identical person who appears upon our records as Louisa McCoy and desire to offer any additional testimony in support of your application for enrollment as a Choctaw freedman, that you and any witnesses you may desire to present would be heard at Muskogee, Indian Territory at any time prior to the forwarding of the final rolls of freedman of the Choctaw Nation to the Secretary of the Interior for his approval.

We cannot accept affidavits or statements made before Notaries public and if you desire to offer any additional proof or testimony in support of your application, such proof will have to be made in person before the Commission at its office in Muskogee, Indian Territory.

Yours truly,

17-D-94 Acting Chairman.

17-D-94.

Muskogee, Indian Territory, January 7, 1903.

Louisa Bradley,

Hugo, Indian Territory.

Dear Madam:

Referring to the application for enrollment as a Choctaw freedman of Olive Battice, minor daughter of Joseph Battice and Louisa Bradley, born March 7, 1899; you are informed that it will be necessary for you to furnish the Commission with the affidavit of the attending physician or midwife as to the birth of this child, and the fact that it is still living, a blank for which purpose is herewith enclosed you.

In having same executed, be careful to see that all blanks are properly filled, all names written in full, and in event the person whose name is to be affixed to the affidavit is unable to write, and the signature is by mark, such signature must be attested by two disinterested parties, witnesses thereto.

The notary public before whom the same is acknowledged must affix his notarial jurat and seal to the affidavit.

This matter should receive prompt attention.

Respectfully,

Acting Chairman.

Enc B I TB.

17-D-94

Muskogee, Indian Territory, July 2, 1903.

Joseph Battiece,

Hugo, Indian Territory.

~~Dear Sir:~~

Receipt is hereby acknowledged of your letter of June 6, 1903, enclosing the affidavit of Isabel Reynolds relative to the birth of Olive Battiece, March 7, 1899.

It appears from our records that on December 2, 1902, application was made before the Commission at Antlers, Indian territory for the enrollment as a Choctaw Freedman of Olive Battiece, infant daughter of Joseph Battiece and Louisa Bradley, born March 7, 1899, at which time only the affidavit of the mother, as to the birth of the child, was furnished.

The application now being complete and in proper form has been duly filed with the records of the Commission as evidence of birth of the above named child.

Respectfully,

Commissioner in Charge.

Choctaw Freedman
D 94

Muskogee, Indian Territory, May 12, 1904.

Joe Battiest,

Hugo, Indian Territory,

Dear Sir:

~~Receipt is hereby acknowledged of your letter of May 7,~~ asking if the name of Olive Battiest has been placed upon the Choctaw roll.

In reply to your letter you are advised that the Commission has not yet passed upon the application for the enrollment of Olive Battice, daughter of Louisa McCoy and Joseph Battice, as a Choctaw freedman. It is suggested that you forward, as early as practicable, evidence of marriage between yourself and Louisa McCoy, the mother of this child, when the application for her enrollment will receive further consideration. The letter inclosed by you is returned herewith.

Respectfully,

AB 3-12

Chairman.

17-D-94.

Muskogee, Indian Territory, June 13, 1905.

Joseph Battice,

Hugo, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of Olive Battice as a Choctaw Freedman, you were advised on May 12, 1904, that it would be necessary for you to forward to this Commission evidence of your marriage to Louisa McCoy (or Louisa Bradley), the mother of said child. Up to this time the required evidence has not been furnished and you are again requested to forward to this Commission evidence of your marriage to the mother of this child.

If it is a fact, however, that you were never married to the mother of Olive Battice, then you are requested to appear before the Commission at Muskogee, Indian Territory, with such witnesses as you may desire to produce for the purpose of an examination under oath relative to the parentage of the child.

This matter should receive your immediate attention.

Respectfully,

Chairman.

17-D-94

Muskogee, Indian Territory, November 7, 1905.

Chief Clerk,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 3, 1905, in which you ask if Louisa Bradley Choctaw freedman D-94 referred to in office letter of November 2, 1905, is identical with Louisa McCoy who appears upon your records on Choctaw freedman card D-94.

In reply to your letter you are advised that Louisa McCoy and Louisa Bradley are identical and in the decision refusing this applicant her name was given as Louisa Bradley.

Respectfully,

Commissioner.

REFER IN REPLY TO THE FOLLOWING:

1765-1907
17-D-94

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, July 20, 1907.

Louisa McCoy Pickins,

Boswell, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of July 12, 1907, in which you ask if you have been approved as a Choctaw freedman; you state that your father's name was Sam McCoy.

In reply to your letter you are advised that on June 28, 1905, the Commission to the Five Civilized Tribes rendered a decision denying the application for the enrollment of Louisa McCoy, daughter of Sam and Anna McCoy, as a Choctaw freedman, and on October 9, 1905, this action was approved by the Secretary of the Interior.

Respectfully,

M. J. Cook
Acting Commissioner.

17-II 94

20

IN RE

Application for Enrollment of

INFANT CHILD

Olive Battice

as ~~a citizen of the~~

Choctaw Freedman ~~Nation~~

Approved JUL 2 1903 190

C. R. Breckinridge.
Commissioner.

Proof of birth of child for whose enrollment application was made Dec 2 1902

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 2 1903
Acting Chairman.

CHOCTAW FREEDMEN

D 94

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a ~~citizen~~ freedman of the Choctaw Nation,
of Olive Battice (Give name of child), born on the 7 day of March, ~~190~~ 1899
Name of Father Joseph Battice, ~~a citizen~~ freedman of the Choctaw Nation.
Name of Mother Louisa Bradley, a ~~citizen~~ freedman of the Choctaw Nation.
Post-Office: Stringo

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I Louisa Bradley, on oath state that I am 18 years of age and a ~~citizen, by~~ freedman, of the Choctaw Nation; that I am the lawful wife of Harrison Bradley, ~~who is a citizen, by~~ ( ), of the non-citizen Nation, that a female (Male or female) child was born to me on the 7 day of March ~~190~~ 1899; that said child has been named Olive Battice, and is now living.

Louisa Bradley

WITNESSES TO MARK:
(Must be Two Witnesses)

Subscribed and sworn to before me this 2 *day of* Dec 190 2

H C Ristea
Notary Public.
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District,

I, Isabel Reynolds, a midwife, on oath state that I attended on Mrs. Louisa Bradley, wife of Joseph Battice on the 7th day of March, 1899; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Olive

her
Isabel X Reynolds.
mark

WITNESSES TO MARK:
(Must be Two Witnesses.)
M H Johnson
G S Hope

Subscribed and sworn to before me this 6th *day of* June *1903.*

My commission expires 4-17-07

Eugene Lerch, NOTARY PUBLIC.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

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12-D-94

MUSKOGEE

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes.
FILED
AUG 12 1905

Commissioner

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

Louisa Bradley
Hugo, Indian Territory.

Louisa Battie

Choc FR D-95 nettie Spencer

FR D-95

Nettie Spencer.

DEC

OCT 6- 1905

ED

COPY OF

OCT 6- 1905

COPY OF DECISION FORWARDED
APPLICANT
OCT 6- 1905

RECORD FORWARDED DEPARTMENT.
OCT 1905

ACTION APPROVED BY
SECRETARY OF INTERIOR.

DEC 2 1905

NOTIFICATION
FORWARDED CHOCTAW
AND CHICKASAW NATIONS.

ACTION

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, INDIAN TERRITORY, DECEMBER 10, 1900.

In the matter of the application of Nettie Spencer for enrollment as a Choctaw Freedman.

Nettie Spencer, having been duly sworn, and examined by Acting Chairman, Tams Bixby, testifies as follows:

Q What is your name? A Nettie Spencer.
Q How old are you? A Twenty three; twenty four fourth of August.
Q What is your post office? A Gainesville.
Q Where do you live? A Gainesville.
Q How long have you lived in Texas? A About twenty years I guess.
Q Ever live in the Indian Territory? A Yes sir.
Q Where were you born? A Born in Texas.
Q When did you live in Indian Territory? A Well, I don't know just when; I have been there and stayed there about three years. I taught school in Indian Territory.
Q When you taught school in Indian Territory, was your residence in Indian Territory or in Texas? A I don't know; I hadn't been in Texas very much because I had been off to school.
Q You said a moment ago you had been there twenty years? A Of course I have considered that my home.
Q Got any property? A No sir.
Q Are you married or single? A Single.
Q Are your father and mother living? A Father and mother both living separated.
Q What is your father's name? A Anthony.
Q Is he living? A Yes sir.
Q Where does he live? A I don't know; after mother and him separated I don't know where he went.
Q Lives somewhere in the state? A Yes sir.
Q What is your mother's name? A Mittie Chenault.
Q Is she married again? A Yes sir.
Q She is living you say? A Yes sir.
Q Where does she live? A She lives at Gainesville.
Q How long has she lived in Gainesville? A I don't know.
Q About how long? A Since the war.
Q Where did she live before that? A She lived in the state; she is a state woman.
Q Is she a Choctaw Freedman? A No sir.
Q Just your father? A Yes sir.
Q Where did he last live that you knew anything about?
A Well, he lived in the Chickasaw Nation the last time-- he told me himself he lived in the Chickasaw Nation.
Q Where did he live? A In Purcell and Oklahoma country all around Chickasaw Nation he told me.
Q How many years is it since? A It's been about-- I don't know, about five years I believe; about five years.
Q Was he living in the Chickasaw Nation? A No sir. He was traveling.
Q Where did you see him? A I saw him at McKinney.
Q McKinney Texas? A Yes sir.
Q How long before that was he living in the Chickasaw Nation?
A I don't know sir.
Q Was he living in the Choctaw Nation before the war? A Yes sir, he was freed in the Choctaw Nation.
Q He lived at one time in Choctaw Nation? A Yes sir.
Q Was he a Choctaw freedman? A Yes sir.
Q Whose slave? A John Wilson.
Q Was John Wilson a Choctaw? A Yes sir.

Q Full blood? A Yes sir he was considered full blood. I suppose he is
Q Have you ever been enrolled by the Choctaws? A No sir, I have never been enrolled.
Q Why not? A Because I lived with my mother and when they were enrolling I was off at school so I didn't know anything about it.
Choctaw Freedman roll of 1896 examined and the name of this applicant not found thereon.
Q Where did you live on June 28, 1898? I was in Seguin, Texas, Godlee College.
Q How long had you lived in Texas before that time? A I had been there since I was about four years old.

Examination by Judge Lewis, Choctaw Commissioner.

Q Were your mother and father married? A Yes sir.
Q Have you any evidence of your mother's and father's marriage?
A Have I any evidence?
Q Yes? A No, I haven't any evidence only got their word for it, I know that they were married; then my uncle knows also.
Commission: You may bring in any testimony that you want to for that purpose.

Jennie Spencer, having been first duly sworn and examined by Acting Chairman Tams Bixby, testifies on behalf of the applicant as follows:

Q What is your name? A Jennie Spencer.
Q How old are you? A Thirty seven.
Q Where do you live? A In Atoka.
Q Are you a Choctaw Freedman? A No sir, Chickasaw.
Q Chickasaw Freedman? A Yes sir.
Q Are you on the roll? A Yes sir.
Q Have you been enrolled by this Commission? A Yes sir.
Q Do you know a Nettie Spencer? A No sir, I never knew here before she came here.
Q Do you know her now? A I know her when I see her, know her name; she has been staying with me about two months, mighty near two months.
Q Where is she? A That is her there. (Pointing to applicant)
Q How do you know her name is Nettie Spencer? A That is the name she give me.
Q Is that all you know about it? A Yes sir.
Q Do you know her father and mother? A I know her father, not her mother.
Q You knew the person she claims to be her father? A Yes sir.
Q When did you first know him? A Must be close on to twelve years.
Q How old are you? A Thirty seven.
Q Well you don't know whether he was a Choctaw slave or not do you?
A No sir, I don't know whether he was a Choctaw slave or not because I was freed in the Chickasaw Nation and I married his brother over here.
Q You don't know who he belonged to at the time of the war?
A No sir, I didn't know him at that time.

Examination by Judge Lewis, Choctaw Commissioner.

Q Who did your husband belong to? A He belonged to John Wilson.
Q You don't know whether his brother belonged to him? A No sir, I was not old enough to know who he belonged to in time of slavery. At least, I didn't live over here.
Q What John Wilson is that? A It is John Wilson who lives somewhere down here close to Wheelock.
Commission: Did you ever go by the name of Benson? A No sir, I used to go by the name of Willis.

Witness excused.

Mat Spencer, having been first duly sworn, and examined by Acting Chairman Tams Bixby, testifies on behalf of the applicant, as follows:

Q What is your name? A Mat Spencer.
Q How old are you? A I could not tell you just exactly how old I am.
Q How old do you think? A Well, when my mother was turned loose I believe she said I was three years old.
Q What was your mother's name? A Arminta
Q Were you a slave? A Yes sir. You see I was about three years old when I was turned loose.
Q Who did you belong to? A My mother belonged to a Choctaw by name of John Wilson.
Q Did you belong to John Wilson too? A Yes sir.
Q Do you know this girl, Nettie Spencer? A Yes sir.
Q What was her father's name? A His name was Antony Spencer.
Q Was he a Choctaw slave? A Yes sir, he was my ~~father~~ brother.
Q Who did your brother belong to? We all belonged to the same man.

Examination by Judge Lewis, Choctaw Commissioner.

Q Did you and Antony both enroll in 1895 when the Choctaw Freedman rolls were made? A No sir he was in the Chickasaw Nation and we didn't know at that time what we was, and I was here and I was enrolled.
Q And you enrolled? A Yes sir.
Q And Antony didn't? A No sir.
Q Do you know when he enrolled this last time with Dawes Commission?
A No sir, he aint enrolled at all; he never did take up any time with fooling about it.
Q Where is he? A I don't know where he is.
Q Perhaps he is dead? A No , he is living.

Examination by Melvin Cornish, Attorney for Choctaw Nation.

Q This brother of yours is living? A Yes sir.
Q Is he older than you? A Yes sir.
Q How much older? A He is about a year older than me I think.
Q When did you separate from him? A Let me see, that was in the Chickasaw Nation. I could not tell you.
Q Well, he went to Texas? A Yes sir.
Q Married in Texas? A Yes sir, I suppose he did.
Q How long after that did you see him? A Between seven or eight years ago.
Q Well , you never saw him after you separated until seven or eight years ago? A No sir.
Q You don't know whether he married or not? A Yes sir.
Q You don't know it of your own personal knowledge? A No sir.
Q You don't know whether this is his child or not? A No more than what he told me.
Q Did they separate and he went off to Texas and you didn't see him until seven or eight years ago? A No sir.
Q When did you first see this girl? A I seen her here two or three months ago.
Q The first time you ever saw her? A Yes sir.
Q And she has been living in Texas has she? A Yes sir.
Q She was born and raised in Texas wasn't she-- this girl-- so far as you know? A I could not tell you.
Q You never saw her or heard of her until three months ago?
A Oh, yes, I have heard of her, heard her name.
Q You don't say she was born and raised in Texas? Whether she was born and raised in Texas or not? A I could not tell you but I am telling you what I know about.~~it~~.

Witness excused.

Nettie Spencer, being recalled, testifies as follows:

Examination by the Commission.

Q What have you been doing late years in Texas? A Well, I have been teaching and been off to school.
Q Ever teach in the Indian Territory? A Yes sir, I taught at Purcell.
Q When? A About three years ago; I guess it is about three years ago.
Q I thought you said that you were living in Texas for some years before June 28, 1898? A I have been living in Texas ever since I was about four years; about twenty years.
Q Texas been your home? A Yes sir, I have been off to school and been teaching.
Q Have you ever had a home in Indian Territory.
A No sir, only when I was teaching.
Q How long did you teach? A Well I taught them off and on about two years; of course I would go backwards and forwards home to Gainesville and I have a brother in Chickasha now teaching.

Witness excused.

Anna Bell, having been first duly sworn, on her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the tenth day of December, 1900, and the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

Anna Bell

Subscribed and sworn to before me this 24 day of December, 1900.

Guy L. Emerson
Notary Public.

Supplemental Testimony, Choctaw Freedman D. 95.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Atoka, I.T. December 11th, 1900.

Supplemental proceedings in the matter of the application of Nettie Spencer for enrollment as a Choctaw Freedman----D. 95.

Said Nettie Spencer, being sworn by Acting Chairman Bixby, was examined in her own behalf by Mr. A. Tell, her attorney, and testified as follows:

Q What is your name? A Nettie Spencer.
Q Where do you live? A Gainesville, Texas.
Q That has been your home has it? A Yes, sir.
Q Where were youborn? A I was born in Panola County.
Q That is in Texas? A No, sir.
Q In the Chickasaw Nation? A Yes, sir.
Q Now, how long did you stay there? A Well, I stayed there until I was about four years old.
Q You stayed there until you were four years old? A Yes, sir.
Q Then where did you move to? A We went to Sherman and from Sherman to Gainesville.
Q And then where di you go from Gainesville? A Well, I stayed there and went to school after I got big enough to go to school.
Q Well, then where did you go? A After I went to Gainesville I went into college.
Q Then where did you go from the college? A I went there in 1893 and stayed there until 1894, that was in June sometime, and I went home and stayed until September, and then I went to Jefferson City, Missouri, and went to school there.
Q Where did you go from Jefferson City, Missouri A I stayed there two years; that was in 1894. I went there in September and I stayed there 1894 and 1895, and in 1895---I stayed there two years, that is eighteen months, two sessions,--and I spent one summer and then came back for the summer and in September I went to Purcell.
Q What State or Territory? A Indian Territory.
Q Purcell, Indian Territory? A Yes, sir.
Q What were youdoing at Purcell? A I was teaching a prescription school of music.
Q What? A A prescription school of music.
Q How long did you stay there teaching that school? A About a year.
Q Where were you on the 28th day of June, 1898? A I was there because they enrolled at Ardmore, I think, at that time.
Q At that time? A Yes, sir; I was there.
Q You were where? A Yes, sir.
Q In Purcell? A Yes, sir.
Q Indian Territory? A Yes, sir.
Q How long did you stay at Purcell? A I was taken sick and stayed there until the last of August, 1898.
Q Then where did you go from there? A I went back home to Gainesville, Texas.
Q And then came here? A Yes, sir.

CROSS-EXAMINATION - - - - - - - - - By Mr. Cornish.
Q When did you first hear of them enrolling at Ardmore? A Why, I heard it when I was there.
Q Did you hear that when you were at the Chickasaw Nation? A Yes, sir.
Q You were teaching at Purcell? A Yes, sir.
Q When did your school begin? A In February, I think, about the 14th of February.

1/

Supplemental Nettie Spencer, Freedman Choctaw No. D. 95.

Q The 14th? A Yes, sir; either the 14th or the 2nd, I disremember.

Q In wh t year? A That was in1898.

Q Didn't you testify a moment ago that you went to Purcell in September 1898? A Yes, sir.

Q When did you go there? A In 1898.

Q At what time in 1898? A In February 14th.

Q Then did you gothere in September 1898? A No, sir. I was there in September.

Q When did you go to Purcell? A I went to Purcell on February 14th.

Q Didn't you state a while ago you went to Purcell in September 1898? A No, sir; I said I stayed there until September.

Q They were enrolling at Ardmore, as you understood, on the 28th day of June, 1898? A Yes, sir.

Q When did you first hear of that date? A Well, there was an Indian lady and she was trying to go to enroll and I have heard them talking about it.

Q What meaning has that date, June 28th, 1898? A Well, I think they had to be in the Indian Territory then.

Q You were inthe Indian Territory then? A Yes, sir.

Q You understood that was essential? A Yes, sir; that is what I heard.

Q Now, you say you were in the Territory at that time? A Yes, sir.

Q And you remember that because ~~you~~ they were enrolling at Ardmore at that time? A Yes, sir.; because my uncle went there then.

Q Who was doing the enrolling? A I don't know who was doing the enrollment.

Q You say your uncle claimed? A He was a Choctaw freedman.

Q If I understand you he was enrolled by the Dawes Commission as a Choctaw freedman at that time? A Yes, sir; him or his family

Q They were enrolled as Choctaw freedmen at that time? A I don't know whether they were enrolled or not, but they were enrolling.

Q And you understood they were enrolling there on the 28th of June, 1898? A Yes, sir.

Q Was it on that date they enrolled? A I don't know whether it was or not.

Q How is it you connect the 28th day of June 1898 with the enrollment of the Dawes Commission at Ardmore? How do you connect those two dates, the enrolling by the Dawes Commission and the 28th day of June, 1898? What was there in common between those two events? A Well, I don't know only I know they were enrolling. Now, I don't know whether it was just exactly that date or not, but I know they were enrolling when I was there and they were there at that time.

Witness excused.

---o----

MELVIN CORNISH, being sworn by Acting Chairman Bixby, on behalf of the Choctaw Nation, testified as follows:

MR. CORNISH: The statement has been made in the presence of the Commission as to the time when the Dawes Commission was at Ardmore enrolling Choctaw and Chikokasaw Indians and Choctaw and Chickasaw freedmen in 1898. I was at that time an employe of the Dawes Commis-

sion and remember distinctly the matter of fact and about the dates within which the Commission was at Ardmore. The Commission arrived at Ardmore on or about the 21st of September, 1898, and remained there one week. The Commission came to Ardmore from the Pauls Valley appointment, and at the conclusion of the Ardmore appointment proceeded to Tishomingo.

CROSS EXAMINATION - - - - - - - - - - - - - - By Mr. Telle.

Q You state in your testimony that the statement has been made that the Dawes Commission was enrolling Choctaws and Chickasaws and freedmen. Who do you claim has made that statement? A Why the witness that just preceded made reference to the time when the enrolling was taking place.

Q Did she say the Dawes Commission was enrolling there? A I don,t remember about that.

Q You said in your testimony that there had been a statement of that kind. Who made that statement? A I am not sure about that. The statement was made-----

Q (interrupting) Who made that statement? A This witness here. I don,t remember her name.

Q I would like to read the statement. Is that your understanding of the statement she made, that the Dawes Commission was there? A I understood her statement was her relations had gone to Ardmore and had been enrolled as freedmen.

Q By the Dawes Commission? A Yes,----I don,t know that she said the Dawes Commission.

Q You said that in your statement. A I don,t remember it. If I did I will amend it. My understanding was she had gone to Ardmore------

Q (interrupting) I will ask you if you know of any one that was making rolls at that time, or claiming to make rolls of freedmen at Ardmore? A No one except the Dawes Commission.

Q At that time? A No, sir; I don,t remember of any one who had authority or claimed to have authority to make rolls of freedmen except the Dawes Commission.

Q I will ask you if it is not a matter of common knowledge with you as well as others connected with the freedmen business that there was one Mullin organized a meeting ofer there and claimed to be enrolling freedmen? A Well I have no knowledge of the fact. I have understood that Mullin has had some connection with the Chickasaw freedmen question, but just what he was doing I have no recollection of or information.

Witness excused.

------o------

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in this case at the time and place abovementioned, and that the foregoing is a correct, true and complete transcript of his stenographic notes thereof.

Wm J. McCoskey,

Subscribed and sworn to before me this 19th day of December A. D. 1900.

Acting Chairman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
ATOKA, INDIAN TERRITORY,
September 6, 1904.

17-D-95.

In the matter of the enrollment of Nettie Spencer as a Choctaw Freedman.

Nettie Spencer, being first duly sworn, testified as follows:

Q. What is your name? A. Nettie Spencer.
Q. What is your postoffice address? A. Stringtown, I. T.
Q. When did you come from Texas? A. I have been living here five or six years.
Q. Before that, you lived in Texas? A. Yes, sir, off and on.
Q. Where were you born? A. Panola County, Chickasaw Nation.
Q. You lived in Texas four years ago? A. Yes, I did live there four years ago last December? A.
Q. You lived at Gainesville, Texas? A. Yes, sir.
Q. That was your postoffice address at that time? A. Yes, sir.
Q. What is your mother's name? A. MittieChenault.
Q. She is a states woman? A. Yes, sir.
Q. What is your father's name? A. Anthony Spencer.
Q. He is dead now? A Yes, sir.
Q. Was he a slave? A. Yes, sir.
Q. To whom did he belong? A. John Wilson.
Q. How old are you? A. Twenty-seven.
Q. Where were you born? A. Panola County.
Q. Anyone here who knows your father? A. Yes, sir, this gentleman here.
Q. Are you married? A. Yes, sir.
Q. What is your husband's name? A. Rey Kent.
Q. What was your name September 25, 1902? A. Nettie Spencer.
Q. How old are you? A Twenty-seven.
Q. Where have you lived since you were born? A In Texas and here. I have been in Texas a while andhere a while. When we started from Panola County I was a good sized girl; when I went to Sherman I was about four years old.
Q. How long did you stay there? A. I don't know, but wewent from there to Gainesville.
Q. How long did you live at Gainesville? A. Have lived there off and on about twenty-five years.
Q. You live there now? A. No, sir, here in the Territory.
Q. You must be more than Twenty-seven years old, then. A. No, sir. I don't know exactly.
Q. You were three years old when you went to Texas/ How long did you stay in Texas? I don't know.
Q. When did you come back here? A. About five or six years ago.
Q. Lived here ever since? A. Not altogether.
Q. When did your father die? A. About two years ago, two years in February.
Q. Did he ever applyas a citizen? A. Not as I know of.
Q. Your father only died two years ago, and never applied to the Dawes Commission for enrollment? A. Not that I know.

Witness excused.

Matt Spencer, being first duly sworn, testified as follows:

Q. What is your name? A. Matt Spencer.
Q. What are you? A. Choctaw Freedman.
Q. Are you an applicant as a Choctaw freedman? A. What?
Q. Have you applied as a Choctaw freedman? A. Yes, sir.
Q. Are you on the final roll? A. Yes, sir.
Q. Are you any relation to Nettie Spencer? A. She is my brother's daughter.
Q. What was his name? A. Anthony Spencer.
Q. Have you taken your allotment? A. Yes, sir.
Q. To whom did Anthony Spencer belong? A. To John Wilson.
Q. The same man as yourself? A. The same man that our mother did.
Q. Were you a slave? A. I was three years old when we were turned loose.
Q. Who was John Wilson? A. A Choctaw.
Q. Choctaw Indian? A. Yes, sir.
Q. Didyou claim your rights through being the slave of John Wilson? A. Yes, sir.
Q. The same man Anthony Spencer belonged to? A. Yes, sir. Our mother belonged to John Wilson and we belonged also to him.
Q. Do you know whether Anthony Spencer was married to Mittie Chenault? A. Yes, sir.
Q. Do you remember about him being married to her? A. Yes, sir. I was a good big boy.
Q. Were you present at the wedding? A No, sir.
Q. Do you know they lived together as husband and wife? A. Yes, sir.
Q. How long? A. I don't know exactly.
Q. What do you know about Nettie Spencer? Do you remember how old she was when taken to Texas? A. No, sir.
Q. Was she a little girl? A. Yes, sir.
Q. How long did shestay in Texas? A. I Don't know exactly. Her grandma brought her to see me here.

Witness excused.

Nettie Spencer recalled.

Q. What is your postoffice address? A. Stringtown, I. T.
Q. When did you return tothe Choctaw Nation for the purpose of taking up your permanent residence here? A. October 28, 1902.
Q. When did you come to live at Stringtown? A. Last year, in October.
Q. You didn't come here to live before September 25, 1902? A. Yes, sir.
Q. With whom did you live? A. My uncle, Matt Spencer.
Q. Madeyour home with him? A. Yes, sir.
Q. At Stringtown? A. Yes, sir.

Witness excused.

Elsie E. Ashton, being first duly sworn, states that, as stenographer tothe Commission tothe Five Civilized Tribes, she reported the above proceedings, and that this is a full, true and correct transcript of her stenographic notes.

Elsie E. Ashton.

Subscribed and sworn to before me this 16 day of September, 1904.

J D Campbell

17-D-95.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Nettie Spencer for enrollment as a Choctaw Freedman.

D E C I S I O N.

It appears from the record herein that on December 10, 1900, application was made to the Commission to the Five Civilized Tribes for the enrollment of Nettie Spencer as a Choctaw freedman. Further proceedings were had in the matter of said application at Atoka, Indian Territory, December 6, 1904.

It further appears from the record herein that the applicant, Nettie Spencer, who was born since the war of the rebellion, is the daughter of Anthony Spencer who, during and at the close of said war, was the slave of John Wilson, a recognized Choctaw Indian.

It further appears that the applicant was born in the Choctaw Nation about the year 1877, where she remained until she was about four years old, when she removed to the State of Texas; that the applicant attained her majority about the year 1895, and had not returned to and in good faith settled in the Indian Territory on or prior to June 28, 1898.

I am, therefore, of the opinion that Nettie Spencer is not entitled to be enrolled as a Choctaw freedman, and that the application for her enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

OCT 6- 1905

17-D-95

Muskogee, Indian Territory, October 6, 1905.

Nettie Spencer,

Stringtown, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 6, 1905, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Registered.

Incl. 17-D-95.

5.

17-D-95

Copy.

Muskogee, Indian Territory, October 6, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 6, 1905, denying the application for the enrollment of Nettie Spencer as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

Commissioner.

Incl. 17-D-95.

COPY.

Muskogee, Indian Territory, October 6, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Nettie Spencer as a Choctaw freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated October 6, 1905, denying said application.

Respectfully,

SIGNED

Tams Bixby

Commissioner.

2 Incl. 17-D-95.

Through the
Commissioner of Indian Affairs.

J.P.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

D.C. 57511-1905 December 22, 1905.

I.T.D.17118-1905.

L.R.S.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

October 6, 1905, you transmitted the record in the matter of the application for the enrollment of Nettie Spencer as a Choctaw freedman, including your decision of the same date, denying said application.

Reporting December 12, 1905, the Indian Office recommends that your decision be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

(Signed) Thos. Ryan,

First Assistant Secretary.

1 inclosure.

COPY

DEPARTMENT OF THE INTERIOR,

Land:
81050-1905.

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

December 12, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commissioner to the Five Civilized Tribes dated October 6, 1905, transmitting the record of the application for enrollment as a Choctaw Freedman by Nettie Spencer.

October 6, 1905, the Commissioner decided adversely to the applicant.

The record shows that the applicant was born since the War of the Rebellion, is the daughter of Anthony Spencer who, during and at the close of the War, was the slave of a recognized Choctaw Indian. It is further shown that the applicant was born in the Choctaw Nation about 1877, where she remained until about four years old, when she removed to the State of Texas; that she attained her majority about 1895 and had not returned to and in good faith settled in the Indian Territory on or prior to June 28, 1898.

In view of the record the approval of the Commissioner's decision adverse to the applicant is recommended.

Very respectfully,

MMM

C.F.Larrabee,

C

Acting Commissioner.

17-D-95

Muskogee, Indian Territory, January 9, 1906.

Nettie Spencer,

Stringtown, Indian Territory,

Dear Madam:

You are hereby notified that the Secretary of the Interior under date of December 22, 1905, affirmed the decision of the Commissioner to the Five Civilized Tribes dated October 6, 1905, denying the application for your enrollment as a Choctaw freedman.

Respectfully,

Commissioner.

17-D-95

Muskogee, Indian Territory, January 9, 1906.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of December 22, 1905, affirmed the decision of this office dated October 6, 1905, denying the application for the enrollment of Nettie Spencer as a Choctaw freedman.

Respectfully,

Commissioner.

17-D-98.

Muskogee, Indian Territory, August 9, 1902.

Jef Cornegys, Jr.,
Ozona, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 4th instant, in which you desire to be advised of the present status of the claim of Nettie Spencer, who made application to this Commission at Atoka, Indian Territory, in the early part of 1901. You do not state in your communication in which one of the Five Civilized Tribes Nettie Spencer claims the right to enrollment, but it appears from our records that at Atoka, Choctaw Nation, Indian Territory, on December 10, 1900, Nettie Spencer, twenty-four years of age, of Gainesville, Texas, made personal application to this Commission to be enrolled as a Choctaw freedman.

It appears from the record of this case that this applicant was born in the State of Texas, and has always resided in that state with the exception of a few years that she taught school in the Chickasaw Nation, Indian Territory. It does not appear from the record that she has ever been recognized in any manner by the tribal authorities of the Choctaw Nation as a Choctaw freedman. The Commission has not, however, up to this time, rendered any decision relative to

J. C. Jr., 2.

the rights of this applicant to be enrolled as a Choctaw freedman, but in connection therewith your attention is invited to the following provision of the act of Congress of June 28, 1898:

> "No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship: ....."

Yours truly,

Acting Chairman.

Choctaw Freedman
D 95

Muskogee, Indian Territory, April 8, 1904.

Nettie Spencer,

Stringtown, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of April 2, asking relative to your rights as a Choctaw freedman, and in reply you are advised that the Commission has not yet passed upon your application for enrollment as a Choctaw freedman. As soon as a decision is reached in this case you will be notified of the action taken therein.

Respectfully,

Commissioner in Charge.

17-D-95.

Muskogee, Indian Territory, August 18, 1904.

Nettie Spencer,

Gainsville, Texas.

Dear Madam:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your right to enrollment as a freedman of the Choctaw Nation, or you may appear for this purpose before the Commission at its general office, Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

17-D-96.

Muskogee, Indian Territory, April 26, 1905.

Nettie Spencer,

Stringtown, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of April 17th, asking the status of your case.

In reply, you are advised that the Commission is now considering your application for enrollment as a Choctaw freedman, and as soon as a decision is reached, you will be notified of the action taken therein.

Respectfully,

Chairman.

Choc FR D-96 Jessie Washington

FR D-96

Jesse Washington

ACTION APPROVED BY SECRETARY OF INTERIOR. FEB 26 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. APR 9 1907

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT. APR 9 1907

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Atoka, I.T. December 12th, 1900.

In the matter of the application of Jessie Washington for enrollment as a Choctaw Freedman.

The said Jessie Washington, being sworn by Acting Chairman Bixby, was examined by her attorney, Mr. A. Tolle, and testified as follows:

Q What is your name? A Jessie Washington.
Q How old are you Jessie? A Eighteen.
Q Who is your mother? A Mary Washington.
Q Where does she live? A She lives in Texas.
Q How do you claim your citizenship in the Choctaw Nation? A On her side.
Q How does she claim citizenship in the Choctaw Nation? A She is a Choctaw freedman.
Q Who did she belong to in slave times? A John Wilson.
Q Where were you born? A I was born in Henrietta Texas.
Q You were born and raised in Texas? A Yes, sir.
Q How long have you been in the Choctaw Nation this last time to live? A Only two months, but I have been back and forth all the time.
Q You have been here before, but not to live? A No, sir.
Q Have you any relations here in this country? A Yes, sir.
Q Who can identify you? A Yes, sir.
Q Who is it? A Mathew Spencer.
Q Where is he? A He is here in the building.
Q You claim only as a Choctaw freedman. You say your mother was a slave of John Wilson? A Yes, sir.
Q You claim for yourself alone? A Yes, sir.

Witness excused.

------o------

MATTHEW SPENCER, being sworn by Acting Chairman Bixby, was examined upon the part of the applicathy Mr. A. Tolle, and testified as follows:

Q What is your name? A Matt Spencer.
Q How old are you, Matt? A I can't tell you just how old I was; when we were turned loose as freedmen I was three years old.
Q That is set free as freedmen? A Yes, sir.
Q You are enrolled as a Choctaw freedman, are you? A Yes, sir.
Q You have been enrolled as such A Yes, sir.
Q Do you know Jessie Washington? A Yes, sir.
Q Is she any relation of yours? A She is my sister's child.
Q What is the name of your sister? A Mary
Q To whom did Mary belong in slave times? A John Wilson. You see my mother, when we was turned loose had three children, and Mary she was born in PaulsValley.
Q After your mother was freed? A Yes, sir.
Q What is the name of your mother? A Armeta.
Q What is the name of your sister who is the mother of Jessie Washington? A Mary.
Q How long have you known Jessie Washington? A I have knowed her all her days.
Q You have known her all her life? A Yes, sir.
Q You know her and can identify her as the daughter of Mary Washington? A Yes, sir.

Witness excused.

----o----

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all

proceedings in the matter of this application at the time and place above mentioned, and that the foregoing is a true, correct and complete transcript of his stenographic notes thereof.

Wm. J. McThea

Subscribed and sworn to before me this 20th day of December, A. D. 1900.

Acting Chairman.

17-D-96.

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

-:O:-

In the matter of the application for the enrollment of Jessie Washington as a Choctaw freedman.

-: D E C I S I O N :-

It appears from the record herein that on December 12, 1900, at Atoka, Indian Territory, Jessie Washington appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of herself as a Choctaw freedman.

The evidence in this case shows that the applicant was born in the year 1882 in the state of Texas; that she is the descendant of a slave of a Choctaw citizen; that she was raised in the said state of Texas; and that up to and including June 28, 1898, she had not been a resident in good faith of Indian Territory.

The records of this office fail to show that any application has ever been made to the Commission to the Five Civilized Tribes or its successor, for the enrollment of Mary Washington, the mother of the applicant, as a Choctaw freedman.

I am, therefore, of the opinion that Jessie Washington is not entitled to be enrolled as a Choctaw freedman and that her application for enrollment as such should be denied under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495) and it is so ordered.

Commissioner

Muskogee, Indian Territory.

DEC 1906

17-D-96

Muskogee, Indian Territory, December 21, 1906.

Jessie Washington,

Atoka, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 21, 1906, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of proceedngs in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED [illegible]

Acting Commissioner.

Registered.

Incl. 17-D-96.

17-D-96

COPY

Muskogee, Indian Territory, December 21, 1906.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 21, 1906, denying the application for the enrollment of Jessie Washington as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED [illegible]

Acting Commissioner.

Incl. 17-D-96.

Muskogee, Indian Territory, December 21, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Jessie Washington as a Choctaw freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated December 21, 1906, denying said application.

Respectfully,

Acting Commissioner.

Incl. 17-D-96

Through the
Commissioner of Indian Affairs.

R.C.11792.
L.R.S.
RUSSELL.

J.F.
O.K.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

I. T. D.
4330, 4348, 4358, 4372, 4374,
4378, 4382, 4400, 4404, 4418,
4426, 4428, 4430, 4440, 4446,
4452, 4508, 4514, 4522, 4538,
4550, 4562, 4572, 4586, 4590,
4596-1907.
21360, 21302, 22528, 24136,
24144, 24148, 24508, 24518,
24972-1906.

February 26, 1907.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are inclosed:

Title of Case.	Date of Your Letter of Transmittal.
John Ray Banks,	December 21, 1906.
Marie Eveline Boydstun,	December 21, 1906.
Frank Delmar James,	October 20, 1906.
Joseph Goines,	October 20, 1906.
Mayo Harkins (Freedman),	June 26, 1906.
Adia Sizemey,	November 28, 1906.
Isabella Guess et al.(Freedmen)	June 19, 1906.
Lapsum Cox (Miss.Ches.)	January 21, 1907.
K. Dunn, (Miss.Ches.)	January 21, 1907.
Sam E. Williams, et al.(Miss. Ches.)	January 21, 1907.
James Edwards,	November 20, 1906.
Savannah McDonald, et al.,	November 26, 1906.
Gulbert Pisechubbe,	November 27, 1906.
Vota E. Magner et al.,	November 26, 1906.
Fleona Savannah Moulden,	November 27, 1906.
Benjamin Franklin Neagle,	November 26, 1906.
Jessie Washington (Freedman),	December 21, 1906.
Mackey Lee Lane,	December 20, 1906.
Edmund Franklin Barney,	December 19, 1906.

Title of Case.	Date of your Letter of Transmittal.
Charles Frazier (Freedman)	June 15, 1906.
Joe Gardner (Freedman),	June 15, 1906.
Mattie Graham (Freedman),	June 9, 1906?
Luviey Washington (Freedman),	June 16, 1906.
Willie Arpena Maggie,	December 20, 1906.
June Edward Gannery,	December 20, 1906.
Samuel Sydney Burris (Jr.),	December 20, 1906.
Claude Franklin Gatlin et al.,	June 15, 1906.
Jimmie Brooks, et al.,	June 15, 1906.
Bella Garder, et al.,	August 4, 1906.
Eddie Lee Walker et al.,	June 21, 1906.
Crawford Stidham,	June 21, 1906.
Robert Joseph Neff,	June 21, 1906.
Georgie E. Wilson, et al.,	June 21, 1906.
Ellen A. Dunn et al.,	August 10, 1906.
Savannah Elin DeLaughter et al.,	June 21, 1906.

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

35 inc. and 78 inc.
to Ind. Of. with copy
hereof.

A.F.Mc.
2-27-07.

LAND
112850-1906.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

C O P Y.

February 20, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application for the enrollment of Jessie Washington as a Choctaw freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated December 21, 1906, adverse to the applicant.

The record shows that on December 12, 1900 the applicant appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of herself as a Choctaw freedman. The evidence shows that the applicant was born in the year 1882, in the State of Texas; that she is the descendant of a slave of a Choctaw citizen; that she was raised in the State of Texas, and that up to and including June 28, 1898 she had not been a resident in good faith of the Indian Territory. Commissioner Bixby reports that the records of his office fail to show that any application was ever made to the Commissionete the Five Civilized Tribes or its successor for the enrollment of Mary Washington, the mother of the applicant, as a Choctaw freedman.

Therefore, by reason of the provisions of the Act of June 28, 1898, (30 Stat.L.,495), the Office concurs in the

decision of the Commissioner to the Five Civilized Tribes denying the enrollment of Jessie Washington as a Choctaw freedman.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

EBM-LC..

17-D-96

Muskogee, Indian Territory, April 9, 1907.

Jessie Washington,

Atoka, Indian Territory.

Dear Madam:

You are hereby advised that on February 26, 1907, the Secretary of the Interior affirmed the decision of this office of December 21, 1906, denying the application for your enrollment as a Choctaw freedman.

Respectfully,

Geo. D. Rodgers.

ACTING Commissioner.

17-D-96

Muskogee, Indian territory, April 9, 1907.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on February 26, 1907, the Secretary of the Interior affirmed the decision of this office of December 21, 1906, denying the application for the enrollment of Jessie Washington as a Choctaw freedman.

Respectfully,

Geo. D. Rogers.
ACTING Commissioner.

1?-D-96.

Copy.

Muskogee, Indian Territory, August 1?, 1904.

Jessie Washington,

Atoka, Indian Territory.

Dear Madam:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your right to enrollment as a freedman of the Choctaw Nation or you may appear for this purpose at the general office of the Commission at Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

REFER IN REPLY TO THE FOLLOWING:

17-D-96

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 27, 1905.

Jessie Washington,

Atoka, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a Choctaw Freedman you are advised that the evidence already furnished in your case is insufficient to determine your rights as such freedman.

You are, therefore, advised that you should appear at this office at Muskogee, Indian Territory, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your right to enrollment as such freedman at an as early a date as possible.

This matter should receive your prompt attention, as nothing further can be done relative to the final disposition of your application until you and your witnesses do so appear.

Respectfully,

Tams Bixby

Acting Commissioner.

D.C.11701.
L.R.C.
[illegible]. J.P.
O.K.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

I. T. D.
4150, 4160, 4170, 4176, 4178,
4180, 4186, 4188, 4194, 4198,
4200, 4202, 4204, 4206, 4208,
4210, 4212, 4214, 4216, 4218,
4220, 4222, 4224, 4226, 4228,
4230, 4232, 4234, 4236, 4238,
4240-1897,
21860, 21862, 24128, 24130,
24144, 24148, 24202, 24518,
24572-1906.

February 26, 1907.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory,

Sir:

Your decisions in the following Choctaw citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are inclosed:

Title of Case.	Date of Your Letter of Transmittal.
John Ray Banks,	December 21, 1906.
Marie Evaline Boydston,	December 21, 1906.
Frank Delaney Jones,	October 26, 1906.
Joseph Gaines,	October 26, 1906.
Dave Harding (Freedman),	[illegible] 26, 1906.
Adie Sharp,	November 26, 1906.
Isabella [illegible] et al. (Freedmen)	June 18, 1906.
Leonard Guy [illegible],	January [illegible], 1907.
M. Young [illegible] Chas.)	January [illegible], 1907.
Ben H. Williams, et al. (Miss. Chas.)	January [illegible], 1907.
James [illegible],	November 26, 1906.
Sherman [illegible], et al.,	November 26, 1906.
Sidney [illegible],	November 27, 1906.
Vera M. [illegible], et al.,	November [illegible], 1906.
Thomas [illegible] Franklin,	November 27, 1906.
Benjamin [illegible] Wright,	November 27, 1906.
Jessie Washington (Freedman),	November 26, 1906.
Shadey Lee Lewis,	December 27, 1906.
Edward Franklin Murray,	December 26, 1906.
	December 19, 1906.

Title of Case.	Date of your Letter of Transmittal.
Charles Frazier (Freedman)	June 13, 1906.
Joe Gardner (Freedman),	July 14, 1906.
Philip Gardner (Freedman),	June 9, 1906.
Sidney Washington (Freedman),	June 14, 1906.
William Alfred Hodge,	November 20, 1906.
Jesse Hudson Dawson,	November 20, 1906.
Samuel Sidney Harris (Jr.),	November 20, 1906.
Claude Franklin Dallin et al.,	June 14, 1906.
Jimmie Brown, et al.,	June 15, 1906.
Dalia Garvey, et al.,	August 4, 1906.
Eddie Lee Walker et al.,	June 21, 1906.
Stanford Stillman,	June 22, 1906.
Robert Joseph Kelly,	June 21, 1906.
Georgia E. Wilson, et al.,	June 21, 1906.
Eliza A. Bunn et al.,	August 10, 1906.
Savannah Elia McLaughlin et al.,	June 21, 1906.

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

35 inc. and 78 inc.
to Ind. Off. with copy hereof.

A.J.Ho.
2-27-07.

LAND
112850-1906.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

C O P Y.

February 20, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application for the enrollment of Jessie Washington as a Choctaw freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated December 21, 1906, adverse to the applicant.

The record shows that on December 12, 1900 the applicant appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of herself as a Choctaw freedman. The evidence shows that the applicant was born in the year 1882, in the State of Texas; that she is the descendant of a slave of a Choctaw citizen; that she was raised in the State of Texas, and that up to and including June 28, 1898 she had not been a resident in good faith of the Indian Territory. Commissioner Bixby reports that the records of his office fail to show that any application was ever made to the Commissionsto the Five Civilized Tribes or its successor for the enrollment of Mary Washington, the mother of the applicant, as a Choctaw freedman.

Therefore, by reason of the provisions of the Act of June 28, 1898, (30 Stat.L.,495), the Office concurs in the

decision of the Commissioner to the Five Civilized Tribes denying the enrollment of Jessie Washington as a Choctaw freedman.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

KBM-LC..

REFER IN REPLY TO THE FOLLOWING:

17-D-96

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 9, 1907.

Jessie Washington,

Atoka, Indian Territory.

Dear Madam:

You are hereby advised that on February 26, 1907, the Secretary of the Interior affirmed the decision of this office of December 21, 1906, denying the application for your enrollment as a Choctaw freedman.

Respectfully,

Geo. D. Rodgers

Acting Commissioner.

944
371

REFER IN REPLY TO THE FOLLOWING:

LAND
112850-1906.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

C O P Y

February 20, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application for the enrollment of Jessie Washington as a Choctaw freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated December 21, 1906, adverse to the applicant.

The record shows that on December 12, 1900 the applicant appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of herself as a Choctaw freedman. The evidence shows that the applicant was born in the year 1882, in the State of Texas; that she is the descendant of a slave of a Choctaw citizen; that she was raised in the State of Texas, and that up to and including June 28, 1898 she had not been a resident in good faith of the Indian Territory. Commissioner Bixby reports that the records of his office fail to show that any application was ever made to the Commission to the Five Civilized Tribes or its successor for the enrollment of Mary Washington, the mother of the applicant, as a Choctaw freedman.

Therefore, by reason of the provisions of the Act of June 28, 1898, (30 Stat.L.,495), the Office concurs in the

decision of the Commissioner to the Five Civilized Tribes denying the enrollment of Jessie Washington as a Choctaw freedman.

Very respectfully,

C. F Larrabee

Acting Commissioner.

EBM-LC..

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

22191

12-8-96

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE

ATOKA
JAN 26 PM 1907
IND. T.

1329

Jessie Washington,
Atoka, Indian Territory.

8/8

REFER IN REPLY TO THE FOLLOWING.

17-D-96

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, December 21, 1906.

Jessie Washington,

Atoka, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 21, 1906, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of proceedngs in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Wm. O. Beall,

Acting Commissioner.

Registered.

Incl. 17-D-96.

Choc FR D-97 DICK Davis

FR D-97

Nick Davis et al

ACTION APPROVED BY FEB 21 190
SECRETARY OF INTERIOR.

NOTICE OF DEPARTMENTAL ACTION APR 10 190
FORWARDED AUTHORITIES FOR CHOCTAW
AND CHICKASAW NATIONS.

NOTICE OF DEPARTMENTAL APR 10 190
ACTION MAILED APPLICANT.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, January 31, 1901.

In the matter of the application of Dick Davis for enrollment as a Choctaw Freedman; he being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Dick Davis.
Q Have you ever been before this Commission before? A No sir.
Q Ever tried to be enrolled? A No sir.
Q Never have applied, have you? A No sir.
Q You want to make application for enrollment as a Choctaw Freedman? A Yes sir.
Q How old are you? A About thirty-one, I guess.
Q What is your post-office address? A Muskogee.
Q Live in Muskogee? A No sir, I don't live in Muskogee, I live outside of Muskogee, west about three miles and a half.
Q Live in the Creek Nation? A Yes sir.
Q How long have you lived here? A About nine years.
Q Where did you live before that? A In Fort Smith and in the Cherokee Nation.
Q How long did you live in the Cherokee Nation? A I don't know sir.
Q About how long? A Four years.
Q Where did you live before that? A In the states a while.
Q Where? A About Greenwood.
Q In what State? A Sebastian County, Arkansas.
Q How long did you live in Arkansas? A Fifteen years.
Q Where did you live before that? A I stayed at Fort Smith some, I don't know how long.
Q Well, where did you live before you went to Arkansas? A Oh! befor I went.
Q Where did you live before you lived in Arkansas? A I was raised there.
Q Was you born in Arkansas? A No sir, I was raised in Arkansas.
Q Where was you born? A Well, I was born - let me see - what is the name of that place - Atoka.
Q When? A I don't know what date it was.
Q Thirty-nine years ago, was it? A I guess it was about thirty-nine years.
Q That would be about 1862, wouldn't it? A 1862, I guess it would.
Q Now how old was you when you left Atoka? A I don't know exactly.
Q About how old was you; how much of a boy was you when you left Atoka? A Oh, I didn't pay any a tention to the age.
Q About how big was you, how high, and how old? A About twelve.
Q Did you live at Atoka from the time you was born to the time you w went to Arkansas? A Yes sir, part of the time.
Q Where else did you live? A In the Cherokee Nation a while.
Q After you was born, how long did you live in Atoka? A I couldn't tell you exactly, how long. That has been a long time, and I can't remember exactly.
Q That is what I want to find out, and it is very material for you to tell how long? A I just couldn't tell how long that was.
Q How old were you when you left Atoka? A If I could tell exactly how old I was when I left Atoka, I could tell -
Q That is exactly what I want to find out; how much of a boy was you when you went away from Atoka? A About twelve years old, I said.
Q Had you lived there up until the time you was twelve years old? A Not all of the time.

Dick Davis - #2.

Q Where did you live the other part of the time? A Sometimes in the Cherokee Nation.
Q When did you come to the Cherokee Nation the first time? A I couldn't tell about that.
Q How old were you? A I don't know sir, how old I was. If I could
Q go back and see my auntie, I could find out how old I was at that time.
Q What do you mean by saying that you lived in Atoka from the time you was born to the time you lived in the Cherokee Nation; did you live in the Choctaw Nation all the time you was twelve years old? A No sir.
Q Well, where else did you live? A I don't know sir; I could go back and see my auntie and find out from her exactly how old I was, and then come back and make a statement directly.
QWell, where else did you live, if you didn't live in Atoka all the time? A Well, I was but a boy, I couldn't exactly tell you.
Q After you was twelve years of age, where did you go then? A Well, I was running around about, first one place and another.
Q Where di you go the first place after you left the Choctaw Nation?
A Fort Smith, a while.
Q From the Choctaw Nation to Fort Smith? A Yes sir.
Q How long did you stay there? A I don't know how long I stayed there.
Q About how long? A Well, I don't know nothing particular about it further than - my auntie Caroline can -
Q Have you ever been back in the Choctaw Nation to live since you left there, twelve years of age? A I have passed through there.
Q Ever been back there to live? A A little bit., down there.
Q How much? A A couple of years.
Q When? A Since my mother has been dead.
Q What two years was it? A I don 't know what year; I have forgotte until I can go back and see my auntie and find out from her.
Q Where is she? A Down in the Choctaw Nation.
Q Was you ever a slave of a Choctaw Indian? A Yes sir.
Q You were? A Yes sir.
Q Who did you belong to? A A man by the name of Jim Davis. My moth
Q er was.
Q Do you remember anything about the war? A Which, the war? a mighty little of it.
Q Where was your mother during the war? A Where? Well, I was a small boy; I don't know exactly; she might have been in the Choctaw Nation.
Q She might have been, but was she? A I don't know about that.
Q She might not? A I don't know, if you are going back about the war.
Q Do you know where you was living at the time the treaty of 1866 was made? A No sir; I don't know anything about where the treaty was made at.
Q What was your father's name? A My father's name?
Q Yes? ADidn't have no father.
Q Never had any father? A Not as to marriage.
Q Well, what was his name? Did you ever hear what your father's name was? A No sir, I never did; all I know is about my mother; my mother's name.
Q Your mother was not married when you was born then? A Not that I know of.
Q What is your other's name? A Caroline?
Q Caroline what? A Davis.

Dick Davis -#3.

Q Is she living? A No sir, she is dead.
Q How long has she been dead? A About twelve years.
Q Who did she belong to? A Mrs Mr.Davis.
Q What Davis? A Jim Davis.
Q Jim Davis a Choctaw Indian? A I don't know whether he is a Choctaw or not, he must have been by him owning her.
Q Have you ever been enrolled as a Choctaw freedman? A I don't know sir whether I have or not; I want to find out and see if my name is on the roll or not.
Q What roll? A On the Choctaw roll.
Q Of what year? A I don't know, unless it was the year about 1880.
Q Are you married? A Yes sir.
Q Who are you married to? A A state woman.
Q Have you any children? A Yes sir.
Q Do you want to apply for them? A Yes sir.
Q How many children have you? A Four.
Q What are their names? A The oldest one is Jasper .
Q How old is Jasper? A He was born in 1884.
Q About seventeen years old; is he? A Yes sir.
Q What is the name of the next one? A The next one is named Leek?
Q How old is he? A Sixteen, I think; I forget what year he was born in.
Q What is the name of the next one? A Tinnie.
Q Is that a girl? A Yes sir.
Q How old is she? A She is 11.
Q What is the name of the next one? A Claborn.
Q How old is he? A He is nine years old.
Q Is that a boy? A Yes sir.
Q Who is the mother of these children? A Annie.
Q Annie what? A Annie Davis:
Q Is she a non-citizen? A Yes sir.
Q She does not claim to be a freedman of any of the tribes of the Territory? A She claims to be a Creek.
Q Did she ever belong to a Creek Indian? A I don't know whether she did; she claims to be a Creek by her mother, but she has tried to find- since she has been here she has tried to find people who knew the mother.
Q Has she ever applied to the Commission for enrollment as a Creek Freedman? A No sir; the people that knowed her grandma, they died before we could get up proof enough.
Q Well, does she claim to be a Creek freedman? A No sir, she don't claim. I was taking to her about it, and she said she would not claim it until she proved it.
Q She is going to claim it first, and then prove it? A Yes sir. I have never had time to go around and see altogether about that. By going across the river, I might find someone who knowed her.
Q You, and all of these children, live here in the Creek Nation? A Yes sir.
Q None of these children ever lived in the Choctaw Nation? A No sir.

(Witness excused.)

Lewis Green, having been first duly sworn, upon his oath states as follows:

Examination by the Commission.

Dick Davis- #4.

Q What is your name? A Lewis Green.
Q How old are you? A Thirty eight.
Q What is your post-office address? A Enterprise.
Q Choctaw Nation? A Yes sir.
Q You live in the Choctaw Nation? A Yes sir.
Q Choctaw Freedman? A Yes sir.
Q Have you been enrolled as such by this Commission A Yes sir.
Q Do you know this man, Dick Davis? A Yes sir; know him by being
Q Caroline Davis's boy; I knew him when he was small, but never have seen him in a good while until I come here.
Q What do you know about him? A What do I know about him?
Q Yes? A. Why, I don't know anything particular about him more than my mother says Caroline Davis had a boy.
Q Who is Caroline Davis? A She was owned by Jim Davis in Atoka.
Q What relation is Caroline Davis to you? A Nothing to me, only ~~they all used to belong to the same man.~~
Q All of who belonged to the same man? A Caroline and Jane, and a whole raft of them.
Q Well, what does that have to do with you? A Why, my mother used to belong to the same man.
Q They used to belong to the same man, Jim Davis? A Yes sir.
Q Is he a Choctaw? A His wife is a Choctaw.
Q What was her name? A I disremember her name; she has been dead a good while.
Q Do you know that this is Caroline Davis' boy? A Yes sir.
Q How do you know it? A I know - I couldn't swear it was her boy.
Q That is what you are doing now? A Yes, but I wouldn't get up and swear, because a man couldn't swear to a child.
Q When did you first see this boy? A I met him in Atoka.
Q When did you first meet him in Atoka? A A good while ago.
Q About how long ago? A About ten or fifteen years, ago or longer.
Q How big a boy was he then? A He was a pretty good sized man.
Q Was his mother, Caroline Davis, living in the Choctaw Nation at the time of the war? A Yes sir, I think so.
Q Well, do you think so or do you know so? A Yes sir.
Q Do you know so? A Yes sir; well, I guess so, I never heard of her to go anywhere else except Atoka; she died right in Atoka.
Q Was this boy living with her at the time of the war? A Well, I don't know for sure, but I think he was.
Q Do you remember the time of the treaty of 1866? A No sir; I don't remember.
Q Do you remember when the slaves were set free? A No sir; not exactly; they were set free in 1866, but I don't know exactly.
Q Don't you remember when the slaves were given their freedom? A No sir; I wasn't quite old enough to know the very date.
Q Well, about then, you was old enough to hear it talked about, was you? A Yes sir.
Q Did you know this boy then? A Yes sir.
Q Where was he living then? A Atoka.
Q Had he been living there ever since he was born up to that time?
A Yes sir.
Q Was he living there at the time the slaves were liberated? A I guess he was.
Q Now was he; I don't was any guess about it? A I am not old enough to know that to be positive, because my mother left and come on up to Paris.
Q Well, when did your mother leave there? A After the darkies were all set free.

Dick Davis-#5.

Q Well, do you remember of this boy being in the Choctaw Nation then? A I remember of leaving him there.
Q Well, now, at the time of the breakingout of the war; can you remember that? A No sir.
Q Do you remember when it was going on? A No sir.
Q Do you remember when it was over? A Yes sir.
Q Did you ever hear of Caroline going out of the Territory? A Never did leave the Territory.
Q Ever go out of the Choctaw Nation? A I don't know if she ever left the Choctaw Nation.
Q She died right there? A Yes sir.
Q When did this man go away from the Choctaw Nation? A I don't know when he left.
Q You left before he did? A Yes sir .
Q From what you have heard of him when did he go? A From what I heard of him; that wouldn't be - I didn't go back to Atoka for a long time; I was a man, pretty near grown when I went back there. His mother was there, but he had gone.
Q How long have you know him this time? A Since I met him here ?
Q Yes? A Its been a good while; I knew his name, but I didn't know him when I seen him.
Q About how long have you known him? A I guess I have known him for twenty or more years.
Q You have known him for the past twenty years? A I guess so.
Q Where has he been living during thse twenty years? A I don't know.
Q How did you know him, if you hadn't seen him for so long? A Dont a man know a man's name for years.
Q You have known about him? A Yes sir.
Q You didn't actually know him; someone told you about him? A I have met up with men I have known for a long time, and I would know their names all right.

(Witness excused.)

Dick Davis having been recalled, testified as follows:

Q You have been living in the Creek Nation how long? A It will be eight years.
Q Continuously for eight years? Yes sir.
Q Have you ever lived in the Choctaw Nation from the time you ~~left~~ lived in Atoka when you was about twelve years old? A I went back there, but not to live.
Q When did you go back there? A I disremember when; I was passing through.
Q Never have lived there since you left when you was about twelve years old? Have you ever lived there since you left, when you was twelve years old? A Well, I don't know, because I never give that any thought.
Q You know if you ever lived in a place? A Yes sir.
Q How far back can you remember? A Not far back.
Q Can you remember anything ten years ago? A I guess I can.
Q Have you lived in the Choctaw Nation in the last ten years? A No sir.
Q Have you lived there in the last fifteen years? A Well, I have been there off and on.
Q Have you lived there in the last fifteen years? A I don't know sir. Fifteen years back is a good while back.
Q Haven't you lived in Arkansas most of the time? A Not all of the most of the time. A Heap of people in the Choctaw Nation went to

Arkansas and stayed a while.
Q Stayed there a while when? A I know several who went there.
Q What for? A Just for past time; I know several of them.
Q You went there, but never came back to the Choct w Nation? A I have passed back several times.
Q Did you ever come back there to live? A Not exactly.
Q After you left Atoka you went to Arkansas? A No, no sir; I went from Atoka to the Cherokee Nation.
Q Stay d there a while? A Yes sir.
Q And went to Arkansas? A To Fort Smith.
Q And stayed there a while? A Yes sir.
Q Well, now did you ever come back from Arkansas back to Atoka to live? A Well, I just don't know, Mr. whether I did or not.
Q How do you know you went to the Cherokee Nation? A Well, I know that by coming up here.
Q Well, wouldn't you know whether you went back? A Well, I don't know sir.
Q Well, you went to the Cherokee Nation before you went to Arkansas?
A Yes sir
Q After you went to Arkansas, did you go back to the Choctaw Nation?
A Yes sir.
Q How long did you stay there? A Sometimes I stayed a month, two months, and sometimes six months
Q Where was your home all the time you went back to the Choct w Nation? A I went back to Atoka.
QWhere was you living during that time? A During that time I stayed at Fort Smith.
Q Was that your home? A Well, while I was there it was.
Q You called that your home? A While I was there.
Q Then, you came from Fort Smith, Arkansas to the Creek Nation?
A I went to the State of Arkansas and stayed there a while, and then I come from Arkansas on back through the Choctaw Nation.
Q Now when was that? A I don't know exactly what day it was, Mr. Secretary, at all, I keep no note of all these things.
Q Don't know how long ago it was? A No sir. I never keep no note of all that, because the time passed between places.
Q Now, have you been married to this woman, Annie Davis? A Yes sir.
Q When? A To Annie Davis, you mean my wife?
Q Yes? A Yes sir; I married to her.
Q When were you married to her? A I married her down there at my place between Greenwood and Fort Smith.
Q Married her in Arkansas? A Yes sir.
Q How long ago? A I think it was in - I couldn't tell exactly until I see the marriage certificate.
Q Where are your marriage certificates? A I have got them at home.
Q It will be necessary for the Commission to have your marriage certificate in the matter of the application for the enrollment of these children.
QDid you ever get any money from the Choct w Nation? A No sir.
Q Ever receive any money from the United States? A No sir.
Q Ever get any money of any kind as a payment? A No sir. Never got any kind of money but what I work for.

(Witness excused.

(6)) (6)

Dick Davis #7.

R. S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings in the above entitled cause, and that the foregoing is a full, true and correct translation of his stenographic notes in said cause.

R. S. Streit

Subscribed and sworn to before me this 1st day of February, 1901.

Guy L. V. Emerson
Notary Public.

17-D-97

Muskogee, Indian Territory, November 27, 1905.

Dick Davis,

Muskogee, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of yourself and children as Choctaw Freedmen you are advised that if you desire to furnish further evidence you will be permitted to furnish the same by appearing at this office at Muskogee, Indian Territory in person and with your witnesses within the next fifteen days.

If you do not appear during that time it will be presumed that you do not desire to furnish further evidence in the matter of your application, but you are advised that the burden of proof is upon you to establish the rights of yourself and children as Choctaw Freedmen.

Respectfully,

Leland Tas D Rodgers,

Acting Commissioner.

Register.

17-D-97.

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

-:0:-

In the matter of the application for the enrollment of Dick Davis, Jasper Davis, Leek Davis, Tinnie Davis and Claborn Davis as Choctaw freedmen.

-: D E C I S I O N :-

It appears from the record herein that on January 31, 1901, at Muskogee, Indian Territory, Dick Davis appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of himself and his four minor children, Jasper, Leek, Tinnie and Claborn Davis as Choctaw freedmen.

It further appears from the record herein that the principal applicant, Dick Davis, was born about the year 1852, and that he is the father of the minor applicants, Jasper Davis, (age seventeen years), Leek Davis, (age sixteen years), Tinnie Davis, (age eleven years) and Claborn Davis (age nine years); that the said minor children possess no rights to enrollment except through their father, Dick Davis.

Although ample opportunity has been afforded the principal applicant, Dick Davis, to show by satisfactory evidence that at the date of the Treaty of Fort Smith, he was a resident of the Choctaw-Chickasaw country and had been held prior thereto in slavery by a Choctaw citizen, he has failed to do so.

A registered letter addressed to the applicant, Dick Davis, at his last known post office address, Muskogee, Indian Territory, on November 28, 1905, was returned undelivered.

I am, therefore, of the opinion that following the ruling of the Department in the cases of Eliza Bryant, et al., (I.T.D. 544-1904), Ed Williams,(I. T.D. 4230-1904), William Rector,(I.T.D.1468-1904), Minnie Duncan,(I.T.D.1470-1904), Samantha Chambers, (I.T.D. 2296-1904), Martha Albert, (I.T.D. 4732-1904), Moses Ross, (I.T.D. 6056-1904), June Looney, (I.T.D. 12683-1904), and Frankie Grimmett, (I.T.D. 7902-1905), that Dick Davis, Jasper Davis, Leek Davis, Tinnie Davis and Claborn Davis are not entitled to be enrolled as Choctaw Freedmen and that the application for their enrollment as such should be denied under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

Muskogee, Indian Territory.

Oct. 26 1906

Commissioner.

17-D-97

Muskogee, Indian Territory, December 26, 1906.

Dick Davis,

Muskogee, Indian Territory.

Dear Sir :--

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 26, 1906, denying the application for the enrollment of Dick Davis, Jasper Davis, Leek Davis, Tinnie Davis and Claborn Davis as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Acting Commissioner.

Registered.

Incl. 17-D-97.

17-D-97

Muskogee, Indian Territory, December 26, 190 6.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen :--

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 26, 1906, denying the application for the enrollment of Dick Davis, Jasper Davis, Leek Davis, Tinnie Davis and Claborn Davis as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

W[illegible]

Acting Commissioner.

Incl. 17-D-97.

Muskogee, Indian Territory, December 26, 1906.

The Honorable,

The Secretary of the Interior.

Sir :--

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Dick Davis, Jasper Davis, Leek Davis, Tinnie Davis and Claborn Davis as Choctaw freedmen, indlucing the decision of the Commissioner to the Five Civilized Tribes, dated December 26, 1906, denying said application.

Respectfully,

Acting Commissioner.

Incl. 17-D-97.

Through the
Commissioner of Indian Affairs.

17-D-97

Muskogee, Indian Territory, April 10, 1907.

Dick Davis,

Muskogee, Indian Territory.

Dear Sir :--

You are hereby advised that on February 21, 1907, the Secretary of the Interior affirmed the decision of this office of December 26, 1906, denying the application for the enrollment of Dick Davis, Jasper Davis, Leek Davis, Tinnie Davis and Claborn Davis as Choctaw freedmen.

Respectfully,

Geo. D. Rodgers.

Acting Commissioner.

17-D-97

Muskogee, Indian Territory, April 10, 1907.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen :--

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Respectfully,

Geo. D. Rodgers.

Acting Commissioner.

G.R.

DEPARTMENT OF THE INTERIOR, LLB

WASHINGTON.

D.C. 10920-1907.
I.T.D. 3962-1907.

February 21, 1907.

LRS

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

In accordance with the recommendation of the Indian Office of February 16, 1907 (Land 113318-1906), your decision dated December 26, 1906, denying the application for the enrollment of Dick, Jasper, Leek, Tinnie, and Claborn Davis as Choctaw freedmen, is hereby affirmed.

You will advise applicants of this action.

The papers in the case and a carbon copy hereof have been sent to the Indian Office.

Respectfully,

Thos Ryan

First Assistant Secretary.

1 inc. and 2 to Ind. of.

AFMc
2-23-07

DEPARTMENT OF THE INTERIOR,

Land.
113318-1906

OFFICE OF INDIAN AFFAIRS,

WASHINGTON. February 16, 1907.

(COPY)

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a communication from the Acting Commissioner to the Five Civilized Tribes, dated December 26, 1906, enclosing record of proceedings in the matter of the application for the enrollment of Dick Davis, Jasper Davis, Leek Davis, Tinnie Davis and Claborn Davis, as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated December 26, 1906, denying the application.

It appears from the record that Dick Davis appeared before the Commissioner to the Five Civilized Tribes on January 31, 1901, and made application for the enrollment of himself and his four minor children, Jasper, Leek, Tinnie and Claborn Davis as Choctaw freedmen.

It is shown by the testimony that Dick Davis, the principal applicant, was born about the year 1862, and that he is the father of the minor applicants, Jasper Davis, aged 17 years, Leek Davis, aged 16 years, Tinnie Davis, aged 11 years, and Claborn Davis, aged 9 years; that the minor children possess no rights to enrollment except through their father, Dick Davis. Ample opportunity was afforded the principal applicant to show by

satisfactory evidence that at the date of the treaty of Fort Smith, he was a resident of the Choctaw-Chickasaw country, and had been held prior thereto in slavery by a Choctaw citizen. This he failed to do. A registered letter, addressed to the applicant, Dick Davis, at the last known post-office address, Muskogee, I. T., on November 28, 1905, was returned undelivered.

The office is of the opinion that the decision of the Commissioner, dated December 26, 1906, denying the application for the enrollment of Dick Davis, Jasper Davis, Leek Davis, Tinnie Davis, and Claborn Davis, under the provisions of the Act of Congress approved June 28, 1898(30 stat. L., 495), is correct, and it is recommended that it be affirmed.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

EWE--SD

G.R.

DEPARTMENT OF THE INTERIOR, LLP

WASHINGTON.

D.C. 10920-1907.
I.T.D. 3962-1907.

February 21, 1907.

LRS

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

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You will advise applicants of this action.

The papers in the case and a carbon copy hereof have been sent to the Indian Office.

Respectfully,

Thos Ryan

First Assistant Secretary.

1 inc. and 2 to Ind. of.

AFMc
2-23-07

DEPARTMENT OF THE INTERIOR,

Land.
113318-1906

OFFICE OF INDIAN AFFAIRS,

WASHINGTON. February 16, 1907.

(COPY)

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a communication from the Acting Commissioner to the Five Civilized Tribes, dated December 26, 1906, enclosing record of proceedings in the matter of the application for the enrollment of Dick Davis, Jasper Davis, Leek Davis, Tinnie Davis and Claborn Davis, as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated December 26, 1906, denying the application.

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Very respectfully,

C. F. Larrabee,

EWE--SD

Acting Commissioner.

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

22254

Dick Davis,

Muskogee, Indian Territory.

2164

3 ad

REFER IN REPLY TO THE FOLLOWING.

17-D-97

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, December 26, 1906.

Dick Davis,

Muskogee, Indian Territory.

Dear Sir :--

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 26, 1906, denying the application for the enrollment of Dick Davis, Jasper Davis, Leek Davis, Tinnie Davis and Claborn Davis as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Wm. O. Beall

Acting Commissioner.

Registered.

Incl. 17-D-97.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

[redacted]

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE

#20778

17-R-97

Return

1896

MUSKOGEE, IND. T.
NOV
REC'D

Dick Davis,

Muskogee, Indian Territory.

EMPTY

EMPTY

EMPTY

EMPTY

EMPTY

EMPTY

Choc FR D-104 Irvin Gresham

Refused

FR D-104

REFUSED

[illegible] RENDERED. MAY - 6 1905

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS. MAY - 6 1905

COPY OF DECISION FORWARDED
APPLICANT
MAY - 6 1905

ACTION APPROVED BY
SECRETARY OF INTERIOR.

NOTICE OF DEPARTMENTAL ACTION JUN 15 1905
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JUN 24 1905

No attorney -

NOTICE OF DEPARTMENTAL JUN 24 1905
DECISION MAILED APPLICANT.

JUN 24 1905

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T. November 5, 1901.

In the matter of the application of Irvin Gresham for the enrollment of himself and his eight minor children, Eliza Gresham, Irvin Gresham, Alonzo Gresham, Vassie Gresham, Willie Gresham, Clinton Gresham, Kittie Gresham , and May Ellen Gresham.

Irvin Gresham being first duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Irvin Gresham.
Q How old are you? A My father says I was born in 1859.
Q You are a bout 42 years old? A Yes sir
Q What is your post office address? A Wynnewood.
Q In the Chickasaw Nation? A Yes sir.
Q How long have you lived in the Chickasaw Nation? A Well I been in and out right smart. I been living there two years.
Q Have you lived at Wynnewood all that time? A Two years?
Q Yes sir. A Yes sir.
Q Before living at Wynnewood where did you live? A Lived in Texas.
Q Where in Texas? A Bolpex County.
Q Near what place? A Cooper - was the county seat.
Q Have you ever lived in the Choctaw Nation? A Not long at a time; in and out.
Q Were you a slave of a citizen of the Choctaw Nation? A I was a slave of Robert Jones.
Q Well while you were a slave of Robert Jones where did you live? A In a place called Lake West.
Q How long did you live there to the best of your recollection? A About seven years. I reckon.
Q Do you remember when the slaves were set free? A I remember a little about it; not very much.
Q How old were you at that time? How large was you? A I was small; I dont know exactly how large I was.
Q And were you living at Lake West at the time the slaves were freed? A Yes at the time they said they was freed.
Q I want to know as near as I can what you know about it? A I heard them talking about they was free - along - it seemed to me like in reastin' ear time or a little before reastin' ear time.
Q Were you seven or eight years old at the time? A No sir: I was'nt that old at the time; we stayed there about two years afterwards; I was about five years old at that time.
Q Where were you born? A I dont know sir.
Q You have reason to believe you were born in the Choctaw Nation? A No sir not from what I heard my father say.
Q Can you remember anything about when you was freed? About how old were you at the time you was freed? A I was about five or six years old I guess.
Q Were you then living with your parents as a slave of Robert Jones A Yes sir.
Q Do you remember how long after you were set free you lived with Robert Jones? A To the best of my recollection that I heard them say they was freed, the old man finishedout that crop and stayed there and made another crop and he moved to Texas.
Q Is your father living in Texas now? A No sir.
Q Well after that time how long did you live in Texas? A O, we stayed

there----
Q How long did you stay there ? A I stayed in Texas till I got to be 18 or 16 years old I guess.
Q Where did you go to then? A Went to Mississippi, and Alabama and a whole lots of places.
Q You did'nt come to the Territory to make it a place of residence until about two years ago? A Not till I come win with my family.
Q Are you married? A Yes sir.
Q Have you got a family? A Yes sir.
Q How many children have you? A Got eight.
Q Is your wife living? A Yes sir.
Q She is a State woman? A Yes sir.
Q All your children were born in the states? A Yes sir.
Q Do you desire to make application for the enrollment of your children? A Yes sir.
Q What is the name of your oldest child? A Eliza Gresham.
Q What is her age? A 17.
Q What is the name of your next child-and age? A Irvin Gresham 14.
Q What is the name and age of your next child? A Alonzo Gresham; 12 years old.
Q What is the name and age of your next child ? A Vassie, 10 years old.
Q What is the name and age of your next child? A Willie; 8 years old
Q What is the name and age of your next child? A Clinton; 6 years old.
Q What is the name and age of your next child? A Kittie ; four years old.
Q What is the name and age of your next child? A May Ellen; 2 years old.
Q You and your wife are living together at the present time? A Yes sir.
Q Are these children living with you and your wife? A Yes sir.
Q Have you got any brothers and sisters? A Yes sir.
Q What is the name of your oldest brother? A I am the oldest.
Q What is the name of your oldest brother? A Alonzo.
Q How old is he? A I done forgot how old he is.
Q Have you another brother? A Yes sir.
Q What is his name? A Johnson.
Q Have you any others? A Yes sir.
Q Name them? A Johnson and Fear; I got a sister in between them though.
Q What is her name? A Kitty Mitchell; she's married.
Q Who is William Grissam? A My brother.
Q Is Samuel Grissam a brother of yours? A Yes sir.
Q Who is Martha Grissam? A One of my sisters.
Q How old do you think Martha is? A Bout 17 or 18 maybe 19 years old; I dont know how old she is.
Q Is your mother living? A Yes sir.
Q What is her name? A Martha
Q How old do you think she is? A I dont know sir.
Q Was she a slave of Robert Jones? A Yes sir.
Q Did she live at Robert Jones' place at the time she was freed? A Yes sir.
Q Have you any witnesses to prove what you say? A Yes I got witnesses

The decision of the Commission as to your application for the enrollment of yourself and children as Choctaw freedmen will be mailed to you at your present post office address as given in your testimony.

Major Gillett being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Major Gillett.
Q What is your post office address? A Wynnewood.
QHow old are you? A I spects I'm about 44 or five maybe a little older. I really dont know just exactly my age.
Q Are you listed for enrollment as a Choctaw freedman? A Yes sir.
QHow long have you lived in the Choctaw Nation? A I lived here all my life until Conference sent me out to Wynnewood.
Q Where in the Choctaw Nation have you made your home? A Why Caddo a while and Atoka a while - sometimes at South McAlester.
Q Do you know this applicant Irvin Gresham? A Yes sir.
Q How long have you known him? A Well I been knowing him ever since before the emancipation and after the emancipation until they left and moved away from there and I never seen him any more until two years ago.
Q Were you the slave of a Choctaw Indian? A Yes sir.
Q What was his name? A Robert Jones;most people called him Bob Jones.
Q Robert Jones owned more than one farm did he not? A Yes I guess he did.
Q Owned more than one farm at the time the slaves were set free? A Yes sir.
Q At which one of the farms did you live? A I lived on Lake West the place and sometimes at his home place; first one place and another.
Q Were you born in the Choctaw Nation? A Yes I suppose I was; I guess I was; to my best knowledge I was; I was always told I was born there.
Q Were you born a slave of Robert Jones? A Yes sir.
Q How long prior to the slaves being freed did you remember this applicant? A Well since I can remember anything at all; in playing round the yard with the other children; of course I remember him just like any other child.
Q How long after the slaves were freed did you know him? A About two years.
Q Where did he then go to? A I dont know where he went to;
Q Moved away from that neighborhood? A Yes sir.
Q You still remained there? A Yes sir.
Q When did you next meet him? A I next seen him at Wynnewood.
Q At the time that this applicant Irvin Gresham left the Territory after the slaves were freed how old a boy was you; the best you can remember? A I guess I was about 12 years old.
Q It had been 34 or 35 years since you had seen him when you next saw him was'nt it? A Maybe so.
Q And you think you recognized him as the same boy that you used to know. A Not just when I met him I did'nt; not just at that moment.
Q How are you able to say he is the same person? A He got to talking about playing round the gin house and riding calves and the like of that and commenced talking about a calf throwing a boy and dragging him in the mud with a rope and I remembered that; and telling about his mother and father and so on.
Q Do you know his father and mother? A Yes sir.
Q Do you know where they are living now? A Yes sir.
Q Where do they live? A They live up there about Wynnewood.

Clara Mitchell Wood being first duly sworn states that as stenographer for the Commission to the Five Civilized Tribes she reported

in full all proceedings had in the above entitled cause on the 5th day of November, 1901 and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Clara Mitchell Wood.

Subscribed and sworn to before me this 8th day of November 1901.

J. J. Nelson

Notary Public.

17-D-104.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Irvin Gresham and his minor children, Eliza, Irvin, Alonzo, Vassie, Willie, Clinton, Kittie and May Ellen Gresham, as Choctaw Freedmen.

--: D E C I S I O N:--

It appears from the record herein that on November 5, 1901, at Muskogee, Indian Territory, application was made to this Commission for the enrollment of Irvin Gresham and his minor children, Eliza Gresham (17 years of age), Irvin Gresham (14 years of age), Alonzo Gresham (12 years of age), Vassie Gresham (10 years of age), Willie Gresham (8 years of age), Clinton Gresham (6 years of age), Kittie Gresham (4 years of age), and May Ellen Gresham (2 years of age), as Choctaw Freedmen.

It further appears from the record herein that the principal applicant was the slave of Robert Jones, a recognized Choctaw citizen, during and at the close of the War of the Rebellion; that he resided in the Choctaw Nation for about two years after the close of the war and then removed to the State of Texas, and that he had not returned to and in good faith settled in the Indian Territory on or prior to June 28, 1898; that none of the other applicants were born in the Indian Territory, nor did they remove to and in good faith settle in the Indian Territory on or prior to June 28, 1898.

It is, therefore, the opinion of this Commission that Irvin Gresham and his children, Eliza Gresham, Irvin Gresham, Alonzo Gresham, Vassie Gresham, Willie Gresham, Clinton Gresham, Kittie Gresham, and May Ellen Gresham are not entitled to be enrolled as Choctaw freedmen, and that the application for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Commissioner.

C. R. Breckinridge
Commissioner.

Muskogee, Indian Territory,

MAY - 6 1906

17-D-104.

COPY.

Muskogee, Indian Territory, May 6, 1905.

Irvin Gresham,

Boggy Depot, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of yourself and your children, Eliza Gresham, Irvin Gresham, Alonzo Gresham, Vassie Gresham, Willie Gresham, Clinton Gresham, Kittie Gresham and May Ellen Gresham, as Choctaw freedman.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles.

Commissioner in Charge.

Registered.

Enc-17-D-104.

17-D-104.

Muskogee, Indian Territory, May 6, 1905.

COPY.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of this Commission, rendered May 6, 1905, denying the application for the enrollment of Irvin Gresham, Eliza Gresham, Irvin Gresham, Alonzo Gresham, Vassie Gresham, Willie Gresham, Clinton Gresham, Kittie Gresham and May Ellen Gresham, as Choctaw freedman.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles.

Enc-17-D-104.

Commissioner in Charge.

COPY

Muskogee, Indian Territory, May 6, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application of Irvin Gresham, Eliza Gresham, Irvin Gresham, Alonzo Gresham, Vassie Gresham, Willie Gresham, Clinton Gresham, Kittie Gresham, and May Ellen Gresham, for enrollment as Choctaw freedmen, including the decision of the Commission dated May 6, 1905, denying said application.

Respectfully,

T. B. Needles.

Commissioner in Charge.

2 Enclosures. 17-D-104.

Through the Commissioner

of Indian Affairs.

DEPARTMENT OF THE INTERIOR,

W.C.F.

W A S H I N G T O N. FHE

D.C. 30826-1905. June 15, 1905.
I.T.D. 5712-1905.
LRS

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory,

Gentlemen:

May 6, 1905, you transmitted the record in the matter of the application for the enrollment of Irvin, Eliza, Irvin Jr., Alonzo, Vassie, Willie, Clinton, Kittie and May Ellen Gresham, as Choctaw freedmen, including your decision of the same date, denying said application.

Reporting May 16, 1905, the Indian Office recommends that your decision be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

(signed) E. A. Hitchcock,
Secretary.

1 inclosure.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON. May 16, 1905.

Land.
36181-1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report fr m the Commission to the Five Civilized Tribes, dated May 6, 1905, transmitting the record of the application for enrollment as Choctaw Freedmen by Irvin Gresham for himself and his minor children, Eliza, Irvin Jr., Alonzo, Vassie, Willie, Clinton, Kittie and May Ellen Gresham.

May 6, 1905, the Commission decided adversely to all the applicants.

The record shows that the principal applicant was the slave of a recognized Choctaw citizen during and at the close of the war of the rebellion; that he resided in the Choctaw Nation for about two years after the close of the war and then removed to the State of Texas and that he did not return and in good faith settle in the Indian Territory on or before June 28, 1898; that none of the other applicants were born in the Indian Territory nor did they remove thereto on or before June 28, 1898.

In view of the record the approval of the Commission's decision adverse to the applicant is recommended.

Respectfully,

C. F. Larrabee
Acting Commissioner.

M.M.M.(W)

17-D-104

Muskogee, Indian Territory, June 24, 1905.

Irvin Gresham,

Boggy Depot, Indian Territory,

COPY

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of June 15, 1905, affirmed the decision of this Commission, dated May 6, 1905, denying the application for the enrollment of yourself and children, Eliza Gresham, Irvin Gresham, Alonzo Gresham, Vassie Gresham, Willie Gresham, Clinton Gresham, Kittie Gresham and May Ellen Gresham as Choctaw freedmen.

Respectfully,

SIGNED Tams Bixby

Chairman.

17-D-104

Muskogee, Indian Territory, June 24, 1905.

COPY.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of June 15, 1905, affirmed the decision of this Commission, dated May 6, 1905, denying the application for the enrollment of Irvin Gresham, Eliza Gresham, Irvin Gresham, Alonzo Gresham, Vassie Gresham, Willie Gresham, Clinton Gresham, Kittie Gresham and May Ellen Gresham, as Choctaw freedmen.

Respectfully,

SIGNED

Tams Bixby
Chairman.

D.C. 17744-1902.

(Copy)

Ardmore, I.T. Oct. 7th, 1902.

Muskogee, I.T. to the Dawes Commission.

Sirs:

Your letter at hand sirs, it is more than appreciated. I am sorry to say that I cant not be at any of the places named in your letter for enrollment and I want to ask you the following questions— I am now in jail & nobody to attend to my rights for me. Shall I loose my rights & my childrens if I am not able to meet you, please let me know this.

Sirs I met at Muskogee as a witness for one Erven Grisham I all so made affidavit for one Lonza Grisham the father of Erven Grisham as being citizens of the Choctaw Nation, as a freeman of Robert Jones, the same man that I belong to. Now, sir, on investigation I found that he never did live in the nation, but he found out from Fred Umphrey that Robert Jones did buy a man by the name of Big Bill that had a wife and a boy child— he had ben before you & was on the doubtful list & finding out that I belong to Jones, he come to me, asked me didt I no him & said that he belong to the same man I did,& said that he was bought by Robert Jones, with a wife and child & said they called him Big Bill, then I reconized him as being that man & this is the cause of me makeing this oath for him, but afterwards I found out that he was

a slave in Mississippi & lived about Tombigby River. Now you can think over this matter, & if I deserve punishment on this I am at your service. I only want to do justice and be loyal to my country, if I cant meet you and you want my testimoney, I want befor you can have me braught out then on recept of this please write M.G. Gillett, Ardmore I.T. P.O. Box 656.

Choctaw Freedman
D 104

Muskogee, Indian Territory, January 20, 1903.

Irvin Gresham,
Boggy Depot, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 26, 1902, asking if you are enrolled as a Choctaw Freedman.

In reply to your letter you are advised that it appears from our records that Irvin Gresham and his eight minor children have been listed among the doubtful claimants to enrollment as Choctaw Freedmen, and that their final right to such enrollment has not yet been determined by the Commission.

As soon as a decision is reached in this case you will be duly notified of the action of the Commission.

Respectfully,

Commissioner in Charge.

17 - D - 104.

Muskogee, Indian Territory, July 13, 1903.

Irvin Gresham,

Boggy Depot, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 10, in which you ask if you and your family are enrolled and wish to be informed how to protect yourself in the possession of your improvements.

In reply to your letter you are informed that it appears from our records that you and your children, Eliza, Irvin, Alonzo, Vassie, Willie, Clinton, Kittie and May Ellen Gresham have been listed among the doubtful claimants to enrollment as Choctaw freedmen and your final right to such enrollment has not yet been determined. As soon as a decision is reached in this case you will be notified of the action of the Commission.

You are informed that if you will furnish a description of the land upon which you have improvements and which you desire to select in allotment for yourself and children, propernotation thereof will be made upon our records and you will be notified

Irvin Gresham-----2

if any other person makes application for the same land or any portion of it, and will be permitted to institute contest proceedings for its possession.

Respectfully,

Commissioner in Charge.

17-D-104.

Muskogee, Indian Territory, August 18, 1904.

Irvin Gresham,

Boggy Depot, Indian Territory.

Dear Sir:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights and the rights of your children as freedmen of the Choctaw Nation, or you may appear for this purpose at the general office of the Commission at Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

Choc FR D-105 Vivian W. Osborn

Refused

FR D-105

Mrs. [illegible]

DISMISSED
JAN 21 1905

Daughter of James Osborn on
Choctaw freedman card #1033.

Muskogee, Indian Territory, November 23, 1901.

James Osborne,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 19th instant, in which you state that some four months ago you submitted to this Commission an application for the enrollment of Vivian Osborn as a citizen of the Creek Nation, as the mother, Annie Osborne, is a recognized and enrolled citizen of that nation and that you were informed that the Creek rolls having been closed, that your child Vivian Osborne could not be enrolled as a citizen of the Creek Nation.

You now desire to be informed if such child can through you, be enrolled as a freedman of the Choctaw Nation.

If you will submit to this Commission an application for the enrollment of your child as a Choctaw freedman upon the blank enclosed you herewith, the matter will receive further consideration.

We cannot render you any opinion at this time relative to whether your child will be listed for enrollment as a freedman of the Choctaw Nation or not.

Yours truly,

Transferred to 17-D.105
Dec. 12, 1901

17-1033

Muskogee, Indian Territory, December 5, 1901.

James Osborne,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, in which you state that a blank application did not accompany the Commission's letter of November 26, 1901, to you and in which you desire to be informed if your child can be enrolled as a freedman of the Choctaw Nation.

If you will submit to this Commission an application for the enrollment of your child as a Choctaw freedman upon the blank enclosed you herewith, the matter will receive further consideration.

We cannot render you any opinion at this time relative to whether your child will be listed for enrollment as a freedman of the Choctaw Nation or not.

Yours truly,

Commissioner in Charge.

17-1033

BG Transferred to 17-D. 105 Dec. 12, 1901

AC
105

Muskogee, Indian Territory, December 12, 1901.

James Osborn,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a freedman of the Choctaw Nation of Vivian W. Osborn, the infant daughter of James Osborn, a Choctaw freedman and Annie Osborn, a Creek freedwoman, born January 11, 1901.

The application for the enrollment of this child being in proper form has been accepted and filed by the Commission as evidence of its birth.

As it appears from our records that Clara and Irene Osborn, the children of James and Annie Osborn have already been listed for enrollment and made selection of allotments as freedmen of the Creek Nation, the application for the enrollment of Vivian W. Osborn will be retained by the Commission pending the disposition of an agreement recently made between the United States and the Creek Nation and of the question as to the right of a child to be enrolled as a Choctaw freedman, where the mother and other children of the same parentage have previously been listed for enrollment as freedmen of the Creek Nation.

Yours truly

wsfa

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Creek Fr. Card,
Field No. 1762.

Muskogee, Indian Territory, October 28, 1902.

Choctaw-Chickasaw Enrollment Division,

Commission to the Five Civilized Tribes.

Gentlemen:

You are hereby advised that Vivian W. Osborne has been listed for enrollment as a citizen of the Creek Nation, on Creek Freedmen Card, Field No. 1762.

You are further advised that James Osborne, a Choctaw freedman, is the father of said Vivian W. Osborne, and Annie Osborne, a Creek freedman, is the mother, and that on the 23rd day of October, 1902, James Osborne appeared before the Commission at its office in Muskogee, Indian Territory, and elected to have his daughter, said Vivian W. Osborne, enrolled and receive allotment of land and distributions of money in the Creek Nation.

Enclosed herewith is a copy of the testimony in the matter of the application of James Osborne for the enrollment of his minor child, Vivian W. Osborne, as a Creek freedman.

Respectfully,

Commissioner in Charge.

OCH-73.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, Ind.Ter., October 23,1902.

In the matter of the application of James Osborne for the enrollment of his minor child, Vivian W. Osborne, as a Creek freedman.

James Osborne, being first duly sworn, testified as follows:

Examination by the Commission.

Q What is your full name? A James Osborne.
Q What is your age? A 29 years.
Q What is your postoffice address? A Atoka, Indian Territory.
Q Are you a citizen of the Creek Nation? A Choctaw Nation.
Q Have you been enrolled by the Commission as a citizen of the Choctaw Nation? A Yes, sir.
Q For whom do you now make application for enrollment as a citizen of the Creek Nation? A Vivian W. Osborn.
Q Is she now living? A Yes.
Q Is she your daughter? A Yes, sir.
Q What is the name of her mother? A Annie E. Osborn.
Q Is she living? A Yes, sir.
Q Is she a citizen of the Creek Nation? A Yes, sir.
Q Has she been enrolled by the Commission as a citizen of the Creek Nation? A Yes, sir.

The records of the Commission examined, and it appears therefrom that Annie E. Osborne is listed for enrollment as a citizen of the Creek Nation under the name of Annie Osborne, on Creek Freedman card, Field No.1115.

Q You make application for the enrollment of Vivian E. Osborne as a Creek freedman, do you not? A Yes, sir.
Q If it should be found that your minor child, Vivian E. Osborne, has heretofore been recognized by the tribal authorities of both the Creek and Choctaw Nations, as a citizen of which Nation do you now elect to have her enrolled and receive allotment of lands and distribution of moneys? A Creek Nation.

In Re Application of James Osborne for the enrollment of his minor child, Vivian W. Osborne, as a Creek freedman.

Julius Y. Miller, being first duly sworn, upon his oath states that as stenographer for the Commission to the Five Civilized Tribes he reported all the proceedings had in the above entitled cause on October 23, 1902, and that the foregoing is a full, true and correct transcript of his stenographic notes of said proceedings had on said date.

Julius Y. Miller

Subscribed and sworn to before me this 24th day of October, 1902, at Muskogee, Indian Territory.

Charles H. Sawyer
Notary Public.

Ok

17-D-105.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

--oOo--

In the matter of the application of Vivian W. Osborne for enrollment as a Freedman of the Choctaw Nation.

--oOo--

It appears from the record herein that on December 12, 1901, application was made to this Commission for the enrollment of Vivian W. Osborne (eleven months old) as a freedman of the Choctaw Nation.

It further appears from the record herein that the said Vivian W. Osborne is the offspring of James Osborne, a recognized and enrolled freedman of the Choctaw Nation, and of Annie Osborne, ~~a recognized and enrolled freedman of the Creek Nation.~~

It further appears from the record herein that on October 23, 1902, James Osborne the father of the applicant herein, appeared before this Commission and elected on behalf of the said applicant, to have her enrolled as a freedman of the Creek Nation.

It further appears from the records of the Commission that the applicant has been enrolled as a freedman of the Creek Nation, her name appearing opposite No. 5207, upon the lists prepared by this Commission under the Act of Congress approved March 1, 1901 (31 Stats., 861), of persons entitled to enrollment as freedmen of the Creek Nation, and approved by the Secretary of the Interior on December 1, 1903; that an allotment in said Creek Nation was selected for the applicant herein by her said father, James Osborne, on October 3, 1902, and that a deed covering the land so selected as such allotment was delivered on May 21, 1904.

It is, therefore, hereby ordered that the application for the enrollment of Vivian W. Osborne as a freedman of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

JAN 21 1905

EMPTY

EMPTY

EMPTY

EMPTY

Choc FR D-110 Manda Jackson

FR D-110

CHOCTAW [illegible] D-110

[illegible]

da Jackson

[illegible]

REFUSED

DECISION RENDERED. [illegible] 190[illegible]

COPY OF DECISION FORWARDED ATTORNEY [illegible] AND CLAIMANT [illegible] 190[illegible]

COPY OF DECISION [illegible] ATTORNEY FOR APPLICANT [illegible] MAY - [illegible] 190[illegible]

COPY OF DECISION FORWARDED APPLICANT

MAY - 6 1905

RECORD FORWARDED DEPARTMENT

MAY - 6 1905

ACTION APPROVED BY SECRETARY OF INTERIOR

FEB [illegible] 1906

COPY OF DEPARTMENTAL MOTION FORWARDED ATTORNEYS FOR CROSS-EXAMINATIONS.

[illegible] 1906

[illegible]

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT.

Received JUN 12 1902
of Commission to the
Five Civilized Tribes
one copy of the testimony
in Choctaw Freedman
Case No D 110. entitled
Manda Jackson
A. S. W. Rea,
Atty

17-D-110 17-D-113
17-D-111 17-D-114
17-D-115

Muskogee, Indian Territory, December 10, 1903.

W. A. Welch,

Attorney-at-Law,

Talihina, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 7, asking if Amanda Jackson, Lewis and Amsine Carnut, Alice Benton and Della Adkins have been approved as Choctaw freedmen.

In reply to your letter you are informed that it appears from our records that Manda Jackson, Amsine Conard and her children, Lewis Conard, Della James and her children and Alice Benton and her children, are applicants to this Commission for enrollment as Choctaw freedman, but their final right to such enrollment has not yet been determined.

It does not appear from our records that any person by the name of Della Adkins is an applicant to the Commission for enrollment as a Choctaw freedman, and it is believed that the Della James above named is the Della Adkins referred to in your letter.

Respectfully,

Chairman.

Choctaw F D 110

Muskogee, Indian Territory, April 19, 1904.

Amanda Jackson,

Talihina, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of April 9, in which you ask if your name is on the approved roll so that you can make selection of your allotment.

In reply you are informed that the Commission has not yet passed upon your application for enrollment as a Chickasaw Freedman. As soon as a decision is reached you will be notified of the action taken therein.

Respectfully,

Chairman.

17-D-110 17-D-114
17-D-111 17-D-115

Muskogee, Indian Territory, August 18, 1904.

Manda Jackson,

Talihina, Indian Territory,

Dear Madam:

The Commission will hold a session at the Choctaw Land Office, at Atoka, Indian Territory, on September 6-7, 1904, and at the Chickasaw Land Office, at Tishomingo, Indian Territory, on September 8-9, 1904.

You may if you so desire, appear at one of the above named appointments, for the purpose of giving testimony relative to the rights of yourself, your children and your grandchildren as freedmen of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

17-D-110.

Muskogee, Indian Territory, March 15, 1905.

John J. Thomas,

Attorney at Law,

Talihina, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 9, 1905, relative to the enrollment of Amanda Jackson and her children as Choctaw Freedmen, and requesting to be advised if there is any evidence needed in order to enable this Commission to render a decision in the matter of said application.

You are informed that the Commission has the application of Amanda Jackson and her family now under consideration, but a decision therein has not yet been reached. It is not believed that further testimony will be needed, but if it develops that the evidence now in the possession of the Commission is not sufficient upon which to render a decision in this case, and further evidence is needed, you will be notified thereof.

Respectfully,

Chairman.

17 D 110

Muskogee, Indian Territory, April 15, 1905.

John J. Thomas,

Talihina, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 8, 1905, asking the status of the application of Amanda Jackson for enrollment as a Choctaw freedmen.

In reply to your letter you are informed that the Commission is now considering the application of Manda Jackson for enrollment as a Choctaw freedman and when a decision is reached in this case you will be notified of the action taken therein.

Respectfully,

Chairman.

17-D-110

Muskogee, Indian Territory, March 14, 1906.

Amanda Jackson,

Talihina, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 7, 1906, stating that you are entitled to enrollment as a Choctaw freedman.

In reply to your letter you are advised that on May 6, 1905, the Commission to the Five Civilized Tribes rendered its decision refusing your application for enrollment as a Choctaw freedman and on February 24, 1906, this action was approved by the Secretary of the Interior.

Respectfully,

Acting Commissioner.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, March 26, 1902.

------I------

In the matter of the application of Manda Jackson, for enrollment as a freedman of the Choctaw Nation.

Manda Jackson, being first duly sworn, upon her oath testifies as follows:

Examination by the Commission.

Q What is your name? A My name is Manda Jackson, now.
Q Manda Jackson? A Now, yes sir.
Q What is your age? How old are you? A I am sixty-odd.
Q Sixty years------what is your present post office? A Fort Smith, Arkansas.
Q What was your father's name? A Alexander Colbert.
Q Colbert is it, Alexander Colbert? A Colbert.
Q What is your mother's name? A Lizzie Colbert.
Q Are your father and mother both living? A No sir.
Q Both dead? A Yes sir.
Q Where do you live? A In the Choctaw Nation.
Q In the Choctaw Nation? A Yes sir.
Q How far from Fort Smith? A I live nearly on the line, with Mrs. Le Flore------cooking for Mrs. Le Flore. She lives in the Choctaw Nation.
Q Where do you call your home? A Where I was born you mean?
Q No, where do you call your home now? A In the Choctaw Nation.
Q I know------where'bouts in the Choctaw Nation? A Oh! My home in the Choctaw Nation, where I was born, is near Colbert's Ferry.
Q I want to know what place in the Choctaw Nation you call your home now, if you have got any? A I have been living at South McAlester.
Q How long have you lived at South McAlester? A I have been living in the Choctaw Nation all my days, first South McAlester, Spiro, and all around.
Q Never lived anywhere else but in the Choctaw Nation? A No sir.
Q Then as a matter of fact you haven't got any place in particular that you call home, except the Choctaw Nation? A No sir.

Q No particular place in the Choctaw Nation? A No sir.
Q Are you applying for anyone besides yourself? A Sir?
Q Are you applying-----making this application for anyone besides yourself? A No sir.
Q Just for yourself? A I have four children but they are all grown
Q All grown? A Yes sir. Just for myself.
Q You were born before the emancipation of the slaves if you are sixty years old, were you? A Yes sir, I guess so.
Q Born before the War? A Yes sir.
Q Were you a slave prior to the War? A No sir.
Q Was your father a slave? A No sir.
Q Was your mother a slave? A I was taught that my father bought my mother, away in olden times. That's what were been taught.
Q So far as you know then neither your father nor your mother were slaves before the war? A No sir. My father and mother the first of my knowing was free people.
Q Free people? A Yes sir. My father bought my mother. That's all they taught me.
Q Do you know whether or not your mother ever belonged to, or was the slave of any member of the Choctaw Tribe of Indians? A Well, I'll tell you, I couldn't tell you that, it's so far back. I was just taught that my father bought my mother is all I know.
Q How as far back as you can remember you were always free yourself? A Yes sir.
Q You were never the slave of anybody? A No sir.
Q Your father and mother were both free as far back as you can remember? A Yes sir, only I heard them say Father bought mother. I heard my father say it, but I don't know anything about who----any more than that.
Q How do you claim your right to enrollment as a Choctaw freedman? A Well, I just------I was free born. My father claimed that he was a Indian, and my mother wasn't. I am no fullblood, at all. I am just part Nigger and part Injun.
Q You say your father was an Indian? A Yes sir.
Q Was he a fullblood Indian? A He was, but my mother wasn't. That was the way they taught me. That's all I know about it.
Q Did your mother have any Indian blood in her at all that you know of? A They just taught me that my mother was a full blood Indian ------my father was a fullblood Indian and my mother wasn't. That's all I knew. And he said he bought her. That's all they ever taught me.
Q How long has your father been dead? A About thirteen years.
Q What County in the Choctaw Nation did he belong? A My father lived in----not far from------he died not far from Colbert's Ferry
Q Do you know what County in the Choctaw Nation that is? A Well, I don't know new. There wasn't no county then I think. It was in the Choctaw Nation. I couldn't read and I------.
Q Where'bouts is Colbert Ferry? A Sir?
Q Where'bouts is Colbert Ferry? A Colbert Ferry? It's not very far from Red River. That's the way I was taught all my days. Of course the ferry was on the river, but you know I was born not very far from there.
Q I understand what you mean. A Yes sir.
Q Was your father ever on any of the Choctaw rolls? A They told me he was.
Q Well, I am not asking you what they told you. I am asking you whether you know? A Well, I'll tell you the straight is, I don't know. I tell you the truth.

Q Was he recognized as a Choctaw by the Choctaw authorities? A Yes sir.
Q How do you know that? A Because he staid there with them, I reckon, and was well treated----thought well of.
Q When did your mother die? A My mother dies 'fore father did.
Q How long before? A About four months.
Q Four months? A Yes sir. Yes sir, they both died the same year. About thirteen years.
Q They lived together up till the time your mother died? A Yes sir
Q Was your mother ever recognized by the Choctaw Nation as a citizen? A That's what I have been taught.
Q Do you know whether she was or not? A No sir.

Examination by Attorney Rea.

Q Mrs. Jackson, you were asked by what rights that you claimed citizenship as a Choctaw citizen------do you understand that question? A Well, I can't read and I may not have understood it.
Q Just answer me yes or no? A Yes sir, I guess I know.
Q Now what did they mean? What was meant? A Did I live in the Choctaw Nation and was represented as a citizen. My mother------ what was the question you asked me?
Q The question was asked by what rights you claimed citizenship in the Choctaw Nation? A Because my father was a Choctaw and my mother was a citizen of the Choctaw Nation.
Q Now do you claim your rights under the treaty stipulations of 1866 or through your Choctaw ancestors by blood? A By blood and by the agreement of the nations at that time too. My father was a Choctaw Indian. Of course I can't read.
Q Can't you understand that? A What did you say?
Q I say do you claim your rights under the Treaty stipulations of 1866? A Oh! Yes sir.' I do.
Q Well? A I couldn't understand you at first. Yes sir.
Q Now do you understand the treaty stipulations of 1866? Do you understand that? A Yes sir.
Q Now tell us what you know about it? A I think I do.
Q Well? A Was I in the Choctaw Nation, 1866, was I in there all the time, and no wheres else, is my understanding.
Q Now were you a free colored person in the Choctaw Nation prior to the war of the rebellion between the North and South? A Yes sir.
Q Have you continuously lived in the Choctaw Nation from that time until now? A Yes sir.
Q Then you don't claim your rights as a Choctaw citizen by blood--- a Choctaw Indian by blood.

By the Commission.

Q How is that question?

By Attorney.

A I asked her then she doesn't claim any rights as a Choctaw by blood. A No sir.
Q That's all? A My father-----
Q Now you said no. A Yes sir, but I was telling you, but I spoke as I did before. I am freeborn.
Q That's all.

By the Commission.

Q Have you ever been recognized as a Choctaw citizen yourself? A Yes sir. You asked me was I recognized as a Choctaw citizen.
Q As a Choctaw Indian? A Yes sir.
Q You are recognized by who? A By the citizens of our country up there.
Q By the National authorities? A Yes sir.
Q Have you ever been on any of the Choctaw rolls? A No sir.
Q Never been on any of the rolls? A No sir.
Q Well, they didn't recognize you then? A Well, I thought you was meanin' my neighbors.
Q No, I am talking about the------A Yes sir-------the Choctaw Government. A Yes sir, yes sir, well I never has. That's so.
Q You never have been recognized? A That's so. I never has.
Q Never been on any of the rolls? A No sir.
Q Never drew any money? A No sir.
Q Is this your first appearance before this Commission? A Yes sir
Q Never been before it before? A No sir.
Q Never made any application in '96? A No sir, for I was in the Nation then. I couldn't read and I couldn't understand you before right exactly.

G. W. Van being called as a witness in the above entitled cause, and having been first duly sworn, testified as follows.

Examination by the Commission.

Q What is your name? A G W. Van.
Q G. W. What? A G. W. Van.
Q Van? A Yes sir.
Q How old are you? A I was eighty-seven years old the 27thday of last December.
Q Where do you live? A In the Cherokee Nation.
Q Cherokee Nation? A Right on the line between the Choctaw---river runs right between.
Q What is your post office? A Benge.
Q What? A Benge.
Q Are you a citizen of the Choctaw Nation? A No sir.

Q Of any? A Yes sir, of the Cherokee.
Q You are a citizen of the Cherokee Nation? A Married a Choctaw, that's all. I am an adopted citizen of the Cherokee.
Q Have you been admitted by the Commission, are you on the Cherokee rolls? A Yes sir, I have been paid many a time. Three or four times.

Examination by Attorney.

Q Mr. Van, are you acquainted with the applicant, Manda Jackson, who just left the stand? A I am.
Q Were you acquainted with her father? A Who was said to be her father, I am.
Q What was his name if you remember? A Alexander. Always called him Aleck, was the way.
Q Alexander Colbert? A Yes sir, Colbert. We always called him Aleck Colbert.
Q Do you know what his nationality was? A Well, he was said to be a Choctaw Indian. Looked like it. Had that appearance.
Q Fullblood? A He looked so-----like he was.
Q You don't know? A No, no.
Q Did you know him prior to the war of the rebellion between the North and South? A Knowed him before the War.
Q What was his citizenship before the was, do you know, in the Choctaw Nation? A I always heard him, and he said many times, where I preached, I always heard them call him Indian.
Q Was he a freedman or a slave? A Oh! Free! Free!
Q Were you acquainted with the applicant's mother in her life time? A Yes sir. Seen her very often.
Q What was her name if you remember, Mr.Van? A Well, they always called her Lizzie, is what I always heard her called. Used to be at Church very often where I was preaching, and I preached all over the Nation. That's where I seen her.
Q How long have you known the applicant? A Well, ever since she was a right smart girl big enough to go to church. I don't know how long that's been. Before the War.
Q Where was she when you first learned to know her? A She was near Red River, Colbert's Ferry, wherever that crosses the river.
Q Well, is that in the Choctaw Nation, Indian Territory. A Why yes, that's right in there----that's in the Choctaw Nation.
Q Well, was your information relative to her family history that they were all always known and recognized as free persons in the Choctaw Nation? A Yes sir, didn't have any owners. There wasn't anybody claimed them. I married Folsom's black woman right there by. Nobody ever claimed them. They called them free Niggers. No body ever claimed to be the owners of them.
Q Has she continued to reside in the Choctaw Nation ever since you first learned to know her? A No, I have knowedher cooking in Fort Smith, just the line between them, a big rock setting there, and I have knowned her to go right across the line to cook and she's cooking right on the line now with Campbell LeFlore's widow. Old Campbell LeFlore's widow, and she's cooking there now. I don't know how long she cooked there. I guess everybody knows him He was a big man in the Choctaw Nation, Campbell LeFlore.

Applicant re-called.

Examination by Attorney.

Q Were you living in the Choctaw Nation, Indian Territory, at the time that the Choctaw legislature or council passed an act adopting their freedmen? A Yes sir, if I understands you now. You know I can't read. I may not understand you, what you------I am no educated person.
Q Well, I will explain it to you. A Yes sir, will have to explain it to me plain, because I may speak something wrong when there's no need of it, because I can't read?

A. T. Tatum, being called as a witness in the above entitled cause, and being first duly sworn, upon his oath testified as follows:

Examination by the Commission.

Q What is your name? A A. T. Tatum
Q Where do you live? A I live down in Sequoyah District, near Benge post office, in the Cherokee Nation.
Q Is Benge your post office address? A Yes sir.
Q How old are you? A I am fifty-six years old, the 25th day of December.
Q Are you a citizen of either one of the Nations? A No sir, I am not. I am adopted.
Q You are an adopted citizen? A Yes sir.
Q What Nation? A Of the Cherokee.
Q Adopted citizen of the Cherokee Nation? A Yes sir, by marriage.
Q How long have you lived down at Benge, or near Benge? A At Benge I have lived there by Benge about three years now, but I have been through there off and on thirty some odd years, and in the Choctaw Nation together.

By Attorney.

Q Tatum, are you acquainted with the applicant? A Yes sir.
Q Manda Jackson? A Yes sir.
Q How long have you known her? A I have known her thirty odd years.
Q Where was she when you first learned to know her? A The first time I ever saw her she was down in the Choctaw Nation.
Q Any particular place? A Yes sir, this side of Colbert's Ferry, and I have seen her off and on since that different places in traveling through there.

Q Did you know her prior to the war of the rebellion between the North and the South? A No sir, I knowed her after the war.
Q So it's been thirty odd years since you first seen and knowed her, A Yes sir.
Q Were you acquainted with her father? A Yes sir, I have seen him. I have no particular acquaintance only I knew him when I saw him so said to be-----was called her father.
Q Well, do you remember his name? A Yes sir, his name was Joe Colbert. Alexander Colbert I mean to say.
Q Do you remember the name of her mother. Were you acquainted with her mother? A Yes sir. I saw them both at the same time. They was both together when I saw them. Her name was Lizzie. They called her Lizzie.
Q Well, did you have any information relative to their family history, whether they were free or slave persons in the Choctaw Nation before the War? A Well, I always heard that they was free. I didn't know it for a fact, only what I have been informed.
Q Well, did he ever tell you. Did you ever have any conversation with her father relative to it? A Yes sir.
Q Did he always tell you they were free? A Yes sir.
Q Her mother? A Well, I never talked with her mother about it.
Q That's all.

By the Commission.

Q Alexander Colbert------was he a Choctaw Indian? A I think so, yes sir. He seemed to be.
Q He didn't belong to the Negro race, did he? A No sir, I think not. He didn't look like it, and I am satisfied he didn't.
Q Well, he was recognized by the Indians as an Indian was he? A I think so. I wouldn't be positive but I think so.
Q This woman Lizzie Colbert was his wife? A Yes sir.
Q They lived together as man and wife? A Yes sir, yes sir.

------:------

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on March 26, 1902, and that the above and foregoing is a true and correct transcript of his stenographic notes in said cause on the said day of March, 1902.

Hal Belford

Subscribed and sworn to before me this 27 day of March, 1902.

Clara Mitchellwood

Notary Public.

State of Arkansas
County of Sebastian.
George W. Vann being sworn says: I am 89 years old, I reside in the Cherokee Nation, I. T. I am acquainted with Amanda Colbert who resides in the Choctaw Nation, I. T. at Talihana. I have known her all her life, she is now about 60 years old. She is a Choctaw Freedman. I knew her father and mother, her mother was named Lizzie Colbert, and Alexander Colbert was her father, during the year 1865 and 1866 Amanda Colbert resided in the Choctaw Nation I. T. where she now lives, and where she had lived all her life, she lived at fifferant places in the I. T., but has all the time lived in the Choctaw Nation. Amanda Colberts name now is Amanda Jackson having intermarried with a man by the name of Jackson who is now dead.

Witness:
Claude Hoffman

his
George W. X Vann
mark

Subscribed and sworn to before me this the 6, day of Sept. 1904.

My commission expires july first, 1907.

Edwin Viner
Notary Public

(SEAL)

State of Arkansas.
County of Sebastian.
A. Tatum being sworn says: I am 59 years old, I reside in the Cherokee Nation, I. T. wher I have been living for many years, I am well acquainted with Amanda Colbert, and have been for many years, at least 30 years. She lives in the Choctaw Nation where she has been living all her life. I knew her in 1865 and 1866, at that time she lived in the Choctaw Nation where she has lived ever since, and where she now lives, she has lived at different places since I first knew her. When I first knew her she lived at Old McAlester. Amanda Colbert now Amanda Jackson havivibg married a man by the name of Jackson who is now dead is a choctaw Freedman. My post office and that of George Vann is ~~Rowlan, Cherokee Nation,~~ I. T.

his
A. X Tatum
mark

Witness:
Claude Hoffman

Subscribed and sworn to before me this the 6, day of Sept. 1904.

Edwin Hiner
Notary Public.

My commission expires july first, 1907.

(SEAL)

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, March 26, 1902.

In the matter of the application of Aurzine Conard for the enrollment of herself and her seven minor children, Bennie, Walter, Needy, Ella May, Lee, Joe Bennett and Andy Conard as freedmen of the Choctaw Nation.

Applicant represented by A. S. Rea, Attorney.

Aurzine Conard, being first duly sworn, upon her oath testifies as follows:

Examination by the Commission.

Q What is your name? A Aurzine Conard. A-u-r-z-i-n-e- C-o-n-a-rd
Q How old are you? A Be twenty-nine years old this August.
Q What is your post office address now? A Fort Smith, Arkansas.
Q Fort Smith, Arkansas? A Yes sir.
Q What is your father's name? A Sir?
Q What is your father's name? A Joe Colbert.
Q What is your mother's name? A Manda Colbert.
Q That was your mother just on the stand was it? A Yes sir.
Q Where do you live? Where is your home? A In the Choctaw Nation right at Fort Smith.
Q Is it in the Nation or in the State of Arkansas? A Right on the line.
Q Which side of the line? A I live not far from Pouteau River right there in the Choctaw Nation.
Q Well, is it in the Nation or is it in Arkansas where your house is A It's in the Choctaw Nation.
Q Well, that's what I meant? A Yes sir.
Q How long have you lived at this place? A Sir?
Q How long have you lived there? A I have lived in the Nation all my life
Q I know, but how long at the present place? A I have been there this year.
Q Where did you live before that? A Lived there in the Choctaw Nation. Not far from South McAlester.
Q How long have you lived in the Choctaw Nation? A I have lived there all my life.
Q Never lived outside of the Nation? A No sir.
Q Never been outside of the Nation? A Not to live. We went on a visit. That was my home.
Q Do you claim enrollment as a Choctaw Freedman, or as a Choctaw by blood? A I am Choctaw by blood------free too.

Q Well, what I want to get at, how are you making this application? A Sir?
Q What are you applying for now? A For my rights.
Q As a Choctaw Freedman? A Yes sir.
Q Or a Choctaw by blood? A I don't know which. I want it fixed right. I don't know. I just know the blood's there.

Examination by Attorney.

Q Your mother applies as a freedman? A Yes sir.
Q Do you apply the same way? A Yes sir. I didn't understand you.
Q You say your father's name was Joe Colbert? A Yes sir.
Q Was he a freedman or an Indian? A He was an Indian. Freedman

By the Commission.

Q Was he a freedman or an Indian? A He was an Indian.
Q Indian? A Yes sir.
Q Was he recognized by the Choctaw people as an Indian? A Yes sir.
Q Is he living or dead? A He's dead.
Q Was your father ever on any of the Choctaw rolls? A No sir, not as I know of. I don't know.
Q Was he ever recognized by the Choctaw authorities? A Yes sir.
Q I mean by that, by the Choctaw authorities, not the Choctaw people living around him, but I mean the Council----Choctaw Council. The officials of the Choctaw Nation? A Yes sir.
Q Do you know whether the Choctaw Council ever recognized him as an Indian? A No sir, I don't know.
Q When did your father die. How long ago? A He's been dead about eight years ago as near as I can get at it.
Q Did he and your mother live together up till the time of his death? A Yes sir.
Q Where was he living when he died? A In the Choctaw Nation.
Q Where? A In the Choctaw Nation.
Q I understand, but where at in the Choctaw Nation? A He weren't far from South McAlester.
Q How long have you been married? A I have been married fourteen years.
Q What is your husband's name? A Louis Conard.
Q Is he a citizen of the Choctaw Nation, or a freedman? A Yes sir he's a freedman.
Q He's a freedman? A Yes sir.
Q Is he on the roll as a Choctaw freedman? A I reckon so. I don't know sir what you mean.
Q Well, I mean has he been listed on the Choctaw list of names which include the Choctaw freedmen? A About his rights? Getting his rights?
Q Did he ever make application fe enrollment to the Commission as a Choctaw freedman? A No sir.
Q Have you any Children? A Yes sir.
Q How many? A Seven.
Q Seven? A Yes sir.
Q Do you want to include them in this application of yours? A Yes sir.

Q What is the name of the oldest child? A Rennie Conard.
Q How old is it? A Thirteen years old.
Q What is the Name of the next one? A Walter Conard.
Q How old is it? A Walter Conard?
Q Yes. A Twelve years old.
Q What is the next one? A Needy Conard. He's ten years old.
Q Next? A Ella May Conard, eight years old.
Q Next one? A Lee Conard. He's five years old. Joe Bennett Conard, he's three years old. Andy Conard, that's the baby. He's one year old.
Q How old is this one? A One year old.

Manda Jackson, being called as a witness in the above entitled cause, and having been first duly sworn, upon her oath testifies as follows.

Examination by the Commission.

Q Aurzine Conard is your daughter is she? A Yes sir.
Q Were you present when she was married? A Yes sir.
Q Where was she married? A She was married not far from Pouteau River on the Choctaw side. A preacher married her by the name of Barr Rose. That's his name I think. It's been a good while. Barr Rose.
Q You were present at the time? A Yes sir.
Q Whose house was she married in? A Married in our own house, living right there.
Q How long ago was that? A It's been about fourteen years, I think
Q Do you remember the day of the month? A No sir.
Q What month? A No sir, but it was the first of the year.

Witness excused.

Applicant, re-called.

Q Give me the date of your marriage? A Ninth day of February fourteen years ago.
Q Ninth day of February, fourteen years ago? A Yes sir, 1888.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on March 26, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of March, 1902.

Hal Belford

Subscribed and sworn to before you this 27 day of March, 1902

Clara McKinnell Wood
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory,

April 2, 1902.

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In the matter of the application of Della James, for the enrollment of herself, and her minor children, Jesse James and Claudie James, as Choctaw freedman.

S. W. Isaac, Attorney for applicant.

Della James, being first duly sworn, testified as follows:-

Examination by the Commission.

Q. What is your name ? A. Della James.
Q. What is your age ? A. Thirty years old.
Q. What is your post office address ? A. Fort Smith.
Q. Fort Smith, Arkansas ? A. Yes, sir.
Q. Where do you live ? A. I live over near Poteau in the Choctaw Country.
Q. Do you live in the Choctaw Nation ? A. Yes, sir.
Q. How long have you been living there ? A. I come another time before now and stayed a while.
Q. What the name of your father ? A. Joe Colbert.
Q. Joe Colbert was your father ? A. Yes, sir.
Q. Is he living or dead ? A. Is dead.
Q. Was he a slave of Choctaw Indians ? A. Yes, sir, I heard ma say that.
Q. What was the name of your mother ? A. Amanda Colbert.
Q. Is she living ? A. Yes, sir.
Q. What place in the Choctaw County does your mother live ?
A. Just this side of the Arkansas River, near the Arkansas River bridge -- on this side, in the Choctaw Nation.
Q. Was your mother the slave of Choctaw Indians ? A. I have never heard her say that.
Q. Do you know whether or not she was ? A. No, sir.
Q. Where about were you born ? A. Near South Hailester.
Q. In the Choctaw Nation ? A. Yes, sir.
Q. Have you always lived in the Choctaw Nation.
A. Yes, sir, but some times I would go to the states and stay a while.

Q. Have you lived in the Choctaw Nation for the last three years continuously ? A. Yes, sir.
Q. For the last three years continuously ? A. Yes, sir.
Q. All the time ? A. Yes, sir, I have.
Q. Are you married ? A. Yes, sir.
Q. What is the name of your husband ? A. John James.
Q. Is he a citizen of any nation in the Indian Territory ?
A. I have heard him that he was.
Q. What Nation does he say that he belongs to ? A. Some times he says that he is a Chickasaw, some times Choctaw, I have heard him name two or three different tribes and says that he belonged to that tribe — he is very old.
Q. What is the name and age of your elest child ? A. Jesse James, he is twelve years old.
Q. What is the name and age of your next child ? A. Claudie James and he is ten years old.

Examination by attorney for applicant.

Q. What was your father's name ? A. Joe Colbert.
Q. Was he a slave of Choctaw Indians ? A. Yes, sir, I heard mother say that.
Q. And you were born in the Choctaw Nation ? A. Yes, sir.
Q. And you have heard your mother say that your father was a slave of Choctaw Indians ? A. Yes, sir.
Q. You were born in the Choctaw Nation. ? A. Yes, sir.
Q. How long have you lived out of the Choctaw Nation in your life ? A. I have lived out of there nearly two years at a time.
Q. Where did you live when you were out of the Nation ?
A. Over at Fort Smith and some times on the Cherokee side.
Q. But you still claimedthe Choctaw Nation as your home ?
A. Yes, sir the Choctaw Nation is my home.
Q. Is your father living or dead ? A. He is dead.
Q. How long has he been dead ? A. Eight years.
Q. Do you know whether or not he was ever recognized as a Choctaw freedman.? A. No, sir.

Witness excuxed.

Fred V. Kinkade, being first duly sworn, on his oath states; that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all the proceedings had in the above entitled cause on April 2, 1902; that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date in April, 1902.

Fred V. Kinkade

Subscribed and sworn to before me this 5th, day of April, 1902

Wm. S. Wadsworth Wood
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T. April 2, 1902.

In the matter of the application for enrollment as a Choctaw freedman, of Alice Benton and her two minor children, Albert Benton and Velma Benton.

S. W. Isaac, Attorney for Applicant.

Alice Benton, being first duly sworn testified as follows:

Examination by the Commission.

Q. What is your name ? A. Alice Benton.
Q. What is your age ? A Thirty one years old.
Q. What is your post office address ? A. Fort Smith.
Q. Fort Smith, Arkansas ? A. Yes, sir.
Q. Where abouts do you live ? A. I live there near Ft. Smith, in the Choctaw Nation in what we call Poteau County.
Q. How long have you lived in the Choctaw Nation ? A. I have been living there now about two years.
Q. What is the name of your father ? A. Joe Colbert.
Q. Is he living ? A. No, sir, he is dead.
Q. Was he a Choctaw freedman ? A. Yes, sir, that is what they told me.
Q. That is what they told you ? A. Yes, sir.
Q. To whom did he belong ? A. I do not know, yes, sir, but they say he was a Choctaw.
Q. Did he belong to any Choctaw Indian ? A. I do not know, they say he was a Choctaw.
Q. What is the name of your mother ? A. Amanda Colbert.
Q. Is she living ? A. Yes, sir.
Q. Is she a Choctaw freedman ? A. Yes, sir.
Q. Has she ever been enrolled as such ? A. Yes, sir, she was enrolled this year.
Q. You mean that she made application to be enrolled ?
A. Yes, sir, I reckon so, she come to Muskogee, and said that she got on the roll.

Q. Was your mother the slave of any Choctaw Indian ?
A. Yes, sir.
Q. To what Choctaw Indian did she belong ? A. The Colbert's.
Q. What is their full names ? A. Her mother and father's names was Alexander Colbert and Littie Colbert.
Q. Were you born in the Choctaw Nation. ? A. Yes, sir.
Q. In what county was you born ? A. I do not know.
Q. How long have you lived in the Choctaw Nation ? A. In the Choctaw Nation ?
Q. Yes, how long have you lived in the Choctaw Nation ?
A. Two years and better now and then I did live there for six years.
Q. You have resided continuously in the Choctaw Nation for the past two years ? A. Yes, sir.

Examination by S. W. Isaac.

Q. Do you know the name of the Indian who owned your mother
A. Yes, sir.
Q. What was his name ? A. Joe Colbert.
Q. Where were you born ? A. Near Red River -- some where close to South McAlester.
Q. In the Choctaw Nation ? A. Yes, sir.
Q. How long did you live in the Choctaw Nation before you moved away. ? A. I could not tell you; I was quite small then as well as I can remember -- about ten or eleven years old.
Q. Where do -- where did you go to from there ? A. Went to Mississippi and lived there a while and then come back to Arkansas.
Q. Then how long did you live in Arkansas ? A. About three or four years and then I went back to the Choctaw Nation.
Q. And you have resided there ever since ? A. Yes, sir.
Q. What is your mother's name you say ? A. Amanda Colbert.
Q. And she belonged to Joe Colbert ? A. Yes, sir.
Q. Have you any children ? A. Yes, sir, two children.

Examination by the Commission.

Q. Do you desire to include them in this application for enrollment ? A. Yes, sir.
Q. What is the name and age of the oldest child ? A. Albert Benton.
Q. What is his age ? A. Twelve years old.
Q. What is the name and age of the other ? A. Velma Benton, eight years old.
Q. Are you married ? A. Yes, sir.
Q. What is the name of your husband ? A. William Benton.
Q. Is he -- does he belong to any Nation in the Indian Territory ? A. Yes, sir, he is a Creek.
Q. Has he ever made application for enrollment in the Creek Nation ? A. No, sir.

Q. Has he ever made application for enrollment as a citizen of any Nation ? A. No, sir, not as far as I know.

Q. Where were this children born ? A. Born in the Choctaw Nation.

Q. Are they living with you now ? A. Yes, sir.

Examination by S. W. Isaac.

Q. Where were you married ? A. Married in -- well I have been married two times.
Q. You have been married two times ? A. Yes, sir, I have been married to my last husband two years last Christmas.
Q. You married the last one two years ago Xmas ? A. Yes, sir, and counting the first husband I have been married 16 years.
Q. Where did you marry the last time ? A. In Fort Smith -- I was living in the Nation but went to Fort Smith to Marry
Q. Are these two children that you make application for by your first husband ? A. Yes, sir.
Q. Qhat was the name of your first husband ? A. Bob Sheperd
Q. Was he a citizen of any tribe of Indians ? A. No, sir.

Examination by the Commission.

Q. The children for whom you make application -- Albert and Helma are the children of your first husband, whose name was Bob Sheperd ? A. Yes, sir, his name is -- was Sheperd.
Q. Then the namesof these children is Sheperd and not Benton are they not ? A. Yes, sir.

Witness excused:

George Vann, a witness, being duly sworn testified as follows:

Examination by the Commission.

Q. How old are you ? A. I was eighty-seven years old the twenty-seventh day of last December.
Q. What is your post office address ? A. Benge, Cherokee Nation.
Q. Are you a Cherokee freedman ? A. Yes, sir, so said to be.

Q. Are you listed for enrollment as such ? A. Yes, sir.
Q. Do you know Alice Benton ? A. Yes/ sir.
Q. How long have you know her ? A. About fifteen or twenty years.
Q. Do you know her mother ? A. Yes, sir.
Q. Is her mother a Choctaw fredman ? A. Yes, sir, Choctaw freedman.
Q. What was the name of the mother ? A. Her dady is Joe Colbert.
Q. Did her mother beleng to Choctaw Indians, as a slave ? A No, sir, always said to be a free negro.
Q. Then how could you call her a Choctaw fredman ? A. Well she was always said to be free.
Q. Do you know the name ---- do you know where she was bornN
A. No, sir.
Q. Where did she live when you first knew her ? A. Lived in the Choctaw Nation.
Q. What part of the Nation ? A. Poteau.
Q. She was living in the Choctaw Nation when you first knew her ? A. Yes, sir,
Q. And if she ever belonged to Choctaw Indians you do not know any thing about it ? A. No, sir, she was born since the war.
Q. I mean Alice Benton's mother ? A. If she ever belonged to Choctaw Indians I do not know any thing about it -- she was always said to be a free negro.
Q. Then you do not know it ? A. No, sir, I do not?

Examination by the Commission.

Q. When did you first becomeacquainted with Amanda Colbert ? the mother of Alice Benton ? A. I could not tell you the number of years.
Q. Did you know her prior to the war ? A. Yes, sir , before the war.
Q. Was she at that time a slave of Choctaw Indians ?
A. No, sir, she was a free negro.
Q. Who was her husband ? A. Joe Colbert.
Q. Were you acquainted with him ? A. I have seen him.
Q. Was he a Choctaw Indian or a negro ? A. Mixed -- said to be free.
Q. He was not the slave of Choctaw Indians ? A. He was said to be free -- he bought his time so I have heard - said to be free I do not know.

Witness excused.

Fred V. Kinkade, being duly sworn, on his oath! states; that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all the proceedings had in the above entitled cause on April 2, 1902; that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date in April, 1902.

Fred V. Kinkade

Subscribed and sworn to before me this 3rd. day of April, 1902

Charles Wheelwood
Notary Public.

17-B-110.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Manda Jackson, et al., as Choctaw Freedmen, consolidating the applications of:

Manda Jackson	17-B-110.
Aurzine Conard	17-B-111.
Della James, et al.,	17-B-114.
Alice Benton, et al.,	17-B-115.

--: D E C I S I O N :--

It appears from the record herein that on March 26, 1902, application was made to this Commission for the enrollment of Manda Jackson and Aurzine Conard as Choctaw Freedmen, and on April 2, 1902, application was made to this Commission for the enrollment of Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton, as Choctaw Freedmen.

It further appears from the record herein that the applicant, Aurzine Conard, is a daughter of the said Manda Jackson; that the applicant Della James is a daughter of the said Manda Jackson and is the mother of the applicants Jesse and Claudie James; that the applicant, Alice Benton, is a daughter of the said Manda Jackson and is the mother of the applicants Albert and Velma Benton; that the said Aurzine Conard, Della James and her children, and Alice Benton and her children, claim the right to enrollment as Choctaw Freedmen, through the said Manda Jackson.

It further appears from the record herein that the said Manda Jackson claims that her father, Alexander Colbert, was a full blood Choctaw Indian, her mother being a negro, but she states that she does not claim any rights as a Choctaw by blood.

It does not appear from the records in the possession of the Commission that the said Alexander Colbert, Manda Jackson, or any of the other applicants herein have ever been enrolled by the tribal authorities of the Choctaw Nation, or admitted to citizenship in the Choctaw Nation by the legally constituted authorities of said nation, or by the Commission to the Five Civilized tribes, or by the United States Court in Indian Territory, in accordance with the provisions of the Act of Congress approved June 10, 1896, (29 Stat., 321).

It further appears from the record herein that the said Manda Jackson was born in the Choctaw Nation, about the year 1842, and has resided therein continuously since the date of her birth

up to and including September 25, 1902, and the other applicants above mentioned are the children and grandchildren of the said Manda Jackson and claim the right to enrollment as Choctaw Freedmen by reason of being her descendants.

It further appears from the record herein that the said Manda Jackson was not at any time the slave of a recognized Choctaw Indian.

It is, therefore, the opinion of this Commission that Manda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton are not entitled to be enrolled as citizens by blood of the Choctaw Nation.

It is further the opinion of this Commission that Manda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton are not entitled to be enrolled as Choctaw Freedmen, and that the application for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898, (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

COPY

Commissioner.

C. R. Breckinridge.
Commissioner.

Muskogee, Indian Territory,

MAY - 6 1905

COPY.

17-D-110.

Muskogee, Indian Territory, May 6, 1905.

Manda Jackson,

Talihina, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for your enrollment as a Choctaw freedman, and also as a citizen by blood of the Choctaw Nation.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. [illegible]

Commissioner in Charge.

Registered.

Enc-17-D-110.

DOP 17-D-111.

Muskogee, Indian Territory, May 6, 1905.

Aurzine Conard,

Fort Smith, Arkansas.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for your enrollment as a Choctaw freedman, and also as a citizen by blood of the Choctaw Nation.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles.

Commissioner in Charge.

Registered.

Enc-17-D-110.

COPY. 17-D-114.

Muskogee, Indian Territory, May 6, 1905.

Della James,

Fort Smith, Arkansas.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of yourself and children, Jesse James and Claudie James, as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. Needles

Commissioner in Charge.

Registered.

Enc-17-D-110.

COPY

17-D-114
17-B-115

Muskogee, Indian Territory, May 6, 1905.

E. W. Isaac,

Attorney at Law,

Muskogee, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the applications for the enrollment of Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED

T. B. Needles

Commissioner in Charge.

Registered.
Incl. 17-D-110.

17-D-118.

COPY.

Muskogee, Indian Territory, May 6, 1905.

Alice Benton,

Fort Smith, Arkansas.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of yourself and your children, Albert Benton and Velma Benton, as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles.

Commissioner in Charge.

Registered.

Enc-17-D-110.

17-D-
116 114
111 115

COPY.

Muskogee, Indian Territory, May 6, 1905.

W. A. Walsh,
Attorney at Law,
Talihina, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the applications for the enrollment of Hanna Jackson, Jerusha Conard, Nellie Jones, Jesse Jones, Claudie Jones, Alice Benton, Albert Benton and Velma Benton as Cheetaw freedmen, and also as citizens by blood of the Cheetaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles.
Commissioner in Charge.

Registered.

Incl. 17-D-116.

17-D-
110 111
114 115

COPY.

Muskogee, Indian Territory, May 6, 1905.

John J. Thomas,
Attorney at Law,
Valliana, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 5, 1905, denying the applications for the enrollment of Manda Jackson, Amzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizen by blood of the Choctaw Nation.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles.

Commissioner in Charge.

Registered.

Incl. 17-D-110.

17-D-110

COPY.

Muskogee, Indian Territory, May 6, 1905.

A. S. McRae,

Attorney at Law,

Muskogee, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of Manda Jackson, as a Choctaw freedman.

The decision with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles,

Registered. Commissioner in Charge.

Incl. 17-D-110,

COPY. 110 17-D- 114
111 115

Muskogee, Indian Territory, May 6, 1903.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered May 6, 190 , denying the applications for enrollment of Wanda Jackson, Auzaine Coward, Della Jones, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles.

Incl. 17-D-110. Commissioner in Charge.

Muskogee, Indian Territory, May 6, 1905.

The Honorable,

The Secretary of the Interior,

Sir:

There is herewith transmitted the record of proceedings in the matter of the applications for the enrollment of Hanna Jackson, Auraine Conard, Della James, Joseph James, Claudie James, Alice Denton, Albert Denton and Velma Denton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation, including the decision of the Commission, dated May 6, 1905, denying said applications.

Respectfully,

T. B. Needles.

Commissioner in Charge.

Through the
Commissioner of Indian Affairs.

2 Incl. 19-D-110.

G.R.

DEPARTMENT OF THE INTERIOR

WASHINGTON. LLB

I.T.D. 5706-1905. February 14, 1906.

L.R.S.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

May 6, 1905, the Commission to the Five Civilized Tribes transmitted the record of the application of Manda Jackson for the enrollment of herself, her daughters, Aurzine Conard, Della James, and Alice Benton, and her grandchildren, Jesse James, Claudie James, Albert Benton, and Velma Benton, as Choctaw Freedmen, including the decision of the Commission dated May 6, 1905, adverse to all the applicants.

May 17, 1905, the Acting Commissioner of Indian Affairs reporting thereon, recommended that your decision, adverse to all the applicants, be affirmed. A copy of his letter is inclosed.

The Department concurs in the recommendation made, and the decision of the Commission to the Five Civilized Tribes dated May 6, 1905, denying the application for the enrollment of Manda Jackson, Aurzine Conard, Della James, Alice Benton, Jesse James, Claudie James, Albert Benton, and Velma Benton as Choctaw freedmen, is hereby affirmed.

Respectfully,

Thos Ryan.

First Assistant Secretary.

1 inclosure.

Land.
36182-1905.

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON.

May 17, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated May 6, 1905, transmitting the records of the consolidated applications for enrollment as Choctaw Freedmen by Manda Jackson, Aurzina Conrad, Della, Jesse and Claudie James and Alice, Albert and Velma Benton.

May 6, 1905, the Commission decided adversely to all the applicants.

The record shows that Aurzina Conrad is a daughter of Manda Jackson; that Della James is a daughter of Manda Jackson and is the mother of Jesse and Claudie James; that Alice Benton is a daughter of Manda Jackson and is the mother of Albert and Velma Benton and that these applicants claim their sole right to enrollment through Manda Jackson.

It does not appear that any of the applicants has been enrolled or admitted to citizenship by any tribal authority of the Choctaw Nation or any United States Tribunal.

It is further shown that Manda Jackson was born in the Choctaw Nation about 1842 and has resided there continuously since birth up to and including September 25, 1902, and the

other applicants are her children and grand children and claim right to enrollment by reason of being her descendants.
It further appears that Manda Jackson was never the slave of a Choctaw Indian.

In view of the record the approval of the Commission's decision adverse to the applicants is recommended.

Very respectfully,

C.F. Larrabee

Acting Commissioner.

M.M.M.
W.

17-D-110

Muskogee, Indian Territory, February 24, 1906.

Manda Jackson,

Talihina, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the application for your enrollment as a Choctaw freedman, and also as a citizen by blood of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers

Acting Commissioner.

17-D-111

Muskogee, Indian Territory, February 24, 1906.

Aurzine Conard,

Fort Smith, Arkansas.

Dear Madam:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the application for your enrollment as a Choctaw freedman, and also as a citizen by blood of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers

Acting Commissioner.

17-D-114

Muskogee, Indian Territory, February 24, 1906.

Della James,

Fort Smith, Arkansas.

Dear Madam:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes dated May 6, 1905, denying the application for the enrollment of yourself and children, Jesse James and Claudie James, as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo D. Rodgers

Acting Commissioner.

17-D-114
17-D-118

Muskogee, Indian Territory, February 24, 1906.

S. W. Isaac,

Attorney at Law,

Muskogee, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the applications for the enrollment of Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Leo M. Rodgers

Acting Commissioner.

17-D-115

Muskogee, Indian Territory, February 24, 1906.

Alice Benton,

Fort Smith, Arkansas.

Dear Madam:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the application for the enrollment of yourself and your children, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. D. Reid

Acting Commissioner.

17-D-
110 114
111 118

Muskogee, Indian Territory, February 24, 1906.

W. A. Welch,

Attorney at Law,

Talihina, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the applications for the enrollment of Manda Jackson, Aursine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton, as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers

Acting Commissioner.

17-D-

110 114
111 115

Muskogee, Indian Territory, February 24, 1906.

John J. Thomas,

Attorney at Law,

Talihina, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the applications for the enrollment of Manda Jackson, Aursine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. S. Rogers

Acting Commissioner.

17-D-110

Muskogee, Indian Territory, February 24, 1906.

A. S. McRea,

Attorney at Law,

Muskogee, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the application for the enrollment of Manda Jackson as a Choctaw freedman.

Respectfully,

Geo. D. (R. Igoe

Acting Commissioner.

17-D- 110, 111,
114-115.

Muskogee, Indian Territory, February 24, 1906.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the applications for enrollment of Manda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. D. K. Ingersoll

Acting Commissioner.

Choc FR D-111 Aurzine Conard

Refused

FR D-111

17-D-110 17-D-113
17-D-111 17-D-114
17-D-115

Muskogee, Indian Territory, December 10, 1903.

W. A. Welch,

Attorney-at-Law,

Talihina, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 7, asking if Amanda Jackson, Lewis and Amxine Carnut, Alice Benton and Della Adkins have been approved as Choctaw freedmen.

In reply to your letter you are informed that it appears from our records that Manda Jackson, Amxine Conard and her children, Lewis Conard, Della James and her children and Alice Benton and her children, are applicants to this Commission for enrollment as Choctaw freedman, but their final right to such enrollment has not yet been determined.

It does not appear from our records that any person by the name of Della Adkins is an applicant to the Commission for enrollment as a Choctaw freedman, and it is believed that the Della James above named is the Della Adkins referred to in your letter.

Respectfully,

Chairman.

17-D-110 17-D-114
17-D-111 17-D-115

Muskogee, Indian Territory, August 18, 1904.

Manda Jackson,

Talihina, Indian Territory,

Dear Madam:

The Commission will hold a session at the Choctaw Land Office, at Atoka, Indian Territory, on September 6-7, 1904, and at the Chickasaw Land Office, at Tishomingo, Indian Territory, on September 8-9, 1904.

You may if you so desire, appear at one of the above named appointments, for the purpose of giving testimony relative to the rights of yourself, your children and your grandchildren as freedmen of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, March 26, 1902.

------:------

In the matter of the application of Aurzine Conard for the enrollment of herself and her seven minor children, Rennie, Walter, Needy, Ella May, Lee, Joe Bennett and Andy Conard as freedmen of the Choctaw Nation.

Applicant represented by A. S. Rea, Attorney.

Aurzine Conard, being first duly sworn, upon her oath testifies as follows:

Examination by the Commission.

Q What is your name? A Aurzine Conard. A-u-r-z-i-n-e- C-o-n-a-rd
Q How old are you? A Be twenty-nine years old this August.
Q What is your post office address now? A Fort Smith, Arkansas.
Q Fort Smith, Arkansas? A Yes sir.
Q What is your father's name? A Sir?
Q What is your father's name? A Joe Colbert.
Q What is your mother's name? A Manda Colbert.
Q That was your mother just on the stand was it? A Yes sir.
Q Where do you live? Where is your home? A In the Choctaw Nation right at Fort Smith.
Q Is it in the Nation or in the State of Arkansas? A Right on the line.
Q Which side of the line? A I live not far from Pouteau River right there in the Choctaw Nation.
Q Well, is it in the Nation or is it in Arkansas where your house is A It's in the Choctaw Nation.
Q Well, that's what I meant? A Yes sir.
Q How long have you lived at this place? A Sir?
Q How long have you lived there? A I have lived in the Nation all my life
Q I know, but how long at the present place? A I have been there this year.
Q Where did you live before that? A Lived there in the Choctaw Nation. Not far from South McAlester.
Q How long have you lived in the Choctaw Nation? A I have lived there all my life.
Q Never lived outside of the Nation? A No sir.
Q Never been outside of the Nation? A Not to live. We went on a visit. That was my home.
Q Do you claim enrollment as a Choctaw Freedman, or as a Choctaw by blood? A I am Choctaw by blood------free too.

Q Well, what I want to get at, how are you making this application? A Sir?
Q What are you applying for now? A For my rights.
Q As a Choctaw Freedman? A Yes sir.
Q Or a Choctaw by blood? A I don't know which. I want it fixed right. I don't know. I just know the blood's there.

Examination by Attorney.

Q Your mother applies as a freedman? A Yes sir.
Q Do you apply the same way? A Yes sir. I didn't understand you.
Q You say your father's name was Joe Colbert? A Yes sir.
Q Was he a freedman or an Indian? A He was an Indian. Freedman

By the Commission.

Q Was he a freedman or an Indian? A He was an Indian.
Q Indian? A Yes sir.
Q Was he recognized by the Choctaw people as an Indian? A Yes sir.
Q Is he living or dead? A He's dead.
Q Was your father ever on any of the Choctaw rolls? A No sir, not as I know of. I don't know.
Q Was he ever recognized by the Choctaw authorities? A Yes sir.
Q I mean by that, by the Choctaw authorities, not the Choctaw people living around him, but I mean the Council----Choctaw Council. The officials of the Choctaw Nation? A Yes sir.
Q Do you know whether the Choctaw Council ever recognized him as an Indian? A No sir, I don't know.
Q When did your father die. How long ago? A He's been dead about eight years ago as near as I can get at it.
Q Did he and your mother live together up till the time of his death? A Yes sir.
Q Where was he living when he died? A In the Choctaw Nation.
Q Where? A In the Choctaw Nation.
Q I understand, but where at in the Choctaw Nation? A He weren't far from South McAlester.
Q How long have you been married? A I have been married fourteen years.
Q What is your husband's name? A Louis Conard.
Q Is he a citizen of the Choctaw Nation, or a freedman? A Yes sir he's a freedman.
Q He's a freedman? A Yes sir.
Q Is he on the roll as a Choctaw freedman? A I reckon so. I don't know sir what you mean.
Q Well, I mean has he been listed on the Choctaw list of names which include the Choctaw freedmen? A About his rights? Getting his rights?
Q Did he ever make application for enrollment to the Commission as a Choctaw freedman? A No sir.
Q Have you any Children? A Yes sir.
Q How many? A Seven.
Q Seven? A Yes sir.
Q Do you want to include them in this application of yours? A Yes sir.

Q What is the name of the oldest child? A Rennie Conard.
Q How old is it? A Thirteen years old.
Q What is the Name of the next one? A Walter Conard.
Q How old is it? A Walter Conard?
Q Yes. A Twelve years old.
Q What is the next one? A Needy Conard. He's ten years old.
Q Next? A Ella May Conard, eight years old.
Q Next one? A Lee Conard. He's five years old. Joe Bennett Conard, he's three years old. Andy Conard, that's the baby. He's one year old.
Q How old is this one? A One year old.

Manda Jackson, being called as a witness in the above entitled cause, and having been first duly sworn, upon her oath testifies as follows.

Examination by the Commission.

Q Aurzine Conard is your daughter is she? A Yes sir.
Q Were you present when she was married? A Yes sir.
Q Where was she married? A She was married not far from Pouteau River on the Choctaw side. A preacher married her by the name of Barr Rose. That's his name I think. It's been a good while. Barr Rose.
Q You were present at the time? A Yes sir.
Q Whose house was she married in? A Married in our own house, living right there.
Q How long ago was that? A It's been about fourteen years, I think
Q Do you remember the day of the month? A No sir.
Q What month? A No sir, but it was the first of the year.

Witness excused.

Applicant, re-called.

Q Give me the date of your marriage? A Ninth day of February fourteen years ago.
Q Ninth day of February, fourteen years ago? A Yes sir, 1888.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on March 26, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of March, 1902. Hal Belford

Subscribed and sworn to before you this 27 day of March, 1902

Clara Mitchellwood

Notary Public.

A. R. T.

17-D-110.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPY.

In the matter of the application for the enrollment of Manda Jackson, et al., as Choctaw Freedmen, consolidating the applications of:

Manda Jackson	17-D-110.
Aurzine Conard	17-D-111.
Della James, et al.,	17-D-114.
Alice Benton, et al.,	17-D-115.

--: D E C I S I O N :--

It appears from the record herein that on March 26, 1902, application was made to this Commission for the enrollment of Manda Jackson and Aurzine Conard as Choctaw Freedmen, and on April 2, 1902, application was made to this Commission for the enrollment of Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton, as Choctaw Freedmen.

It further appears from the record herein that the applicant, Aurzine Conard, is a daughter of the said Manda Jackson; that the applicant Della James is a daughter of the said Manda Jackson and is the mother of the applicants Jesse and Claudie James; that the applicant, Alice Benton, is a daughter of the said Manda Jackson and is the mother of the applicants Albert and Velma Benton; that the said Aurzine Conard, Della James and her children, and Alice Benton and her children, claim the right to enrollment as Choctaw Freedmen, through the said Manda Jackson.

It further appears from the record herein that the said Manda Jackson claims that her father, Alexander Colbert, was a full blood Choctaw Indian, her mother being a negro, but she states that she does not claim any rights as a Choctaw by blood.

It does not appear from the records in the possession of the Commission that the said Alexander Colbert, Manda Jackson, or any of the other applicants herein have ever been enrolled by the tribal authorities of the Choctaw Nation, or admitted to citizenship in the Choctaw Nation by the legally constituted authorities of said nation, or by the Commission to the Five Civilized tribes, or by the United States Court in Indian Territory, in accordance with the provisions of the Act of Congress approved June 10, 1896, (29 Stat., 321).

It further appears from the record herein that the said Manda Jackson was born in the Choctaw Nation, about the year 1842, and has resided therein continuously since the date of her birth up to and including September 25, 1902, and the other applicants above mentioned are the children and grandchildren of the said Manda Jackson and claim the right to enrollment as Choctaw Freedmen by reason of being her descendants.

It further appears from the record herein that the said Manda Jackson was not at any time the slave of a recognized Choctaw Indian.

It is, therefore, the opinion of this Commission that Manda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton are not entitled to be enrolled as citizens by blood of the Choctaw Nation.

It is further the opinion of this Commission that Manda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton are not entitled to be enrolled as Choctaw Freedmen, and that the application for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898, (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SIGNED Tams Bixby

Chairman.

SIGNED T. B. Needles.

Commissioner.

SIGNED C. R. Breckinridge.

Commissioner.

Muskogee, Indian Territory,

MAY - 6 1906

COPY.

17-D-111.

Muskogee, Indian Territory, May 6, 1905.

Aurzine Conard,

Fort Smith, Arkansas.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for your enrollment as a Choctaw freedman, and also as a citizen by blood of the Choctaw Nation.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles.

Registered. Commissioner in Charge.

Enc-17-D-110.

COPY

17-D-110

Muskogee, Indian Territory, May 6, 1905.

A. S. McRea,

Attorney at Law,

Muskogee, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of Manda Jackson, as a Choctaw freedman.

The decision with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles,

Commissioner in Charge.

Registered.

Incl. 17-D-110.

17-D-
110 111
114 115

COPY

Muskogee, Indian Territory, May 6, 1905.

John J. Thomas,

Attorney at Law,

Talihina, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the applications for the enrollment of Manda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizen by blood of the Choctaw Nation.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Registered.

Incl. 17-D-110.

COPY.

17-D-
110 114
111 115

Muskogee, Indian Territory, May 6, 1905.

W. A. Welch,

Attorney at Law,

Talihina, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the applications for the enrollment of Manda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles.

Commissioner in Charge.

Registered.

Incl. 17-D-110.

110 17-D- 114
111 115

Muskogee, Indian Territory, May 6, 1905.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered May 6, 190 , denying the applications for enrollment of Wanda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED

Commissioner in Charge.

Incl. 17-D-110.

COPY.

Muskogee, Indian Territory, May 6, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the applications for the enrollment of Manda Jackson, Arzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation, including the decision of the Commission, dated May 6, 1905, denying said applications.

Respectfully,

SIGNED T. B. Needles.

Commissioner in Charge.

Through the
Commissioner of Indian Affairs.

2 Incl. 17-D-110.

17-D-111

Muskogee, Indian Territory, February 24, 1906.

Aurzine Conard,

Fort Smith, Arkansas.

Dear Madam:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the application for your enrollment as a Choctaw freedman, and also as a citizen by blood of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers

Acting Commissioner.

17-D-

110 114
111 115

Muskogee, Indian Territory, February 24, 1906.

John J. Thomas,

Attorney at Law,

Talihina, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the applications for the enrollment of Nanda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. L. Rogers

Acting Commissioner.

17-D-
110 114
111 115

Muskogee, Indian Territory, February 24, 1906.

W. A. Welch,

Attorney at Law,

Talihina, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the applications for the enrollment of Manda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton, as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. H. Rodgers

Acting Commissioner.

17-B- 110, 111,
114-115.

Muskogee, Indian Territory, February 24, 1906.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory,

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the applications for enrollment of Manda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers
Acting Commissioner.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

10128

UNCLAIMED

LAST NOTICE!

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FROM
FORT SMITH, ARK.
P.O.

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FROM
FORT SMITH, ARK.
P.O.

REGISTRY BUREAU.
MAY 9 1905
MUSKOGEE

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

Aurdine Conard,
Fort Smith, Arkansas.

I.C.

W.O.B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-111.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, May 6, 1905.

Aurzine Conard,

Fort Smith, Arkansas.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for your enrollment as a Choctaw freedman, and also as a citizen by blood of the Choctaw Nation.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Registered.

Enc-17-D-110.

Aurzine Coona

REFUSED

DECISION RENDERED MAY 6 - 1905

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. MAY 6 - 1905

NOTICE OF DECISION FORWARDED ATTORNEY FOR APPLICANTS. MAY 6 - 1905

COPY OF DECISION FORWARDED APPLICANT MAY 6 - 1905

RECORD FORWARDED DEPARTMENT. MAY 6 - 1905

Choctaw Freedmen

Aurzine Conard ser

D 111

GRANTED.

DECISION RENDERED. MAY 16 1905

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. MAY 16 1905

NOTICE OF DECISION FORWARDED ATTORNEY FOR APPLICANTS. MAY 16 1905

COPY OF DECISION FORWARDED APPLICANT MAY 16 1905

For further information see

Choc FR D-112 Charles H. Hopkins

FR D-112

17-D-112.

Muskogee, Indian Territory, August 19, 1904.

Charles H. Hopkins,

Caddo, Indian Territory.

Dear Sir:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to the rights of yourself and your wife and children as Choctaw freedmen, or you may appear for this purpose at the general office of the Commission, Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

W. O. B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER TO AND REPLY TO THE FOLLOWING:
17-B-112.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, April 6, 1905.

Charles H. Hopkins,

Caddo, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of yourself, wife and children as Choctaw Freedmen, you are advised that before disposition can be made of said application, it will be necessary for you to appear in person before the Commission at its office in Muskogee, Indian Territory, and testify relative to the right of yourself, wife and children to such enrollment. Bring with you your original marriage license and certificate, or a certified copy thereof.

Such appearance should be made at the earliest possible date, in order that disposition may be made of said application.

Respectfully,

Commissioner in Charge.

REFER IN REPLY TO THE FOLLOWING:

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Durant, Indian Territory, January 27, 1907.

W. H. Angell, Chief Clerk,
Choctaw Land Office,
Atoka, Indian Territory.

Dear Sir:

I am enclosing herewith duplicate record in the matter of the application for the enrollment of Charles H. Hopkins, et al., for enrollment as freedmen of the Choctaw Nation.

I have been unable to find any one in Caddo from whom I could get testimony as to residence, but have ascertained that Aleck Boyd is a half brother of Rachel Hopkins (Boyd).

Will you kindly get the testimony of Aleck Boyd, relative to the residence of this Hopkins and the date of death of his wife, Rachel?

Respectfully,

Richard Shanabarger

In Charge Choctaw Field Party.

JP.
W.H.W.

D. C. 12884-1907.

DEPARTMENT OF THE INTERIOR,

WASHINGTON. March 4, 1907.

I. T. D.
4398,5188,6184,6928,
6952,7112,7430,7452,
7456,7464,7494,7496,
7664,7688,7692,7706,
7710,7722,7726,7732,
7740,7750,7756,7818,
7870,7832,--1907.
LRS.

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship cases, adverse to the applicants, are hereby affirmed. Copies of Indian Office letters, submitting your reports and recommending that the decisions be affirmed, are enclosed herewith:

Title of Case.	Date of your letter of transmittal.
Carlton Smith (Miss. Choc.)	January 21, 1907.
Mattie McFarland (intermarriage)	October 19, 1906.
Elmer Meadows (freedman)	February 13, 1907.
Daniel Oscar Sledge, et al., (by blood),	February 14, 1907.
Hula Lewis (freedman),	February 14, 1907.
Henry Adams (freedman),	February 14, 1907.
Mattie Doak (intermarriage),	February 13, 1907.
Clyde R. Coleman (by blood),	February 21, 1907.
Alice Chatman (freedman),	February 21, 1907.
Jim Brown (freedman),	February 21, 1907.
John Frankling Brewer (by blood),	February 21, 1907.
Cordelia Frazier, et al. (freedmen),	February 21, 1907.
John Herbert LeFiere (freedman),	February 23, 1907.

Mabel M. Jones, et al. (by blood),	February 21, 1907.
Charles H. Hopkins, et al. (Choctaw or Chickasaw freedman)	February 23, 1907.
T. L. Reid, Jr., et al. (by blood),	February 26, 1907.
Albert James (by blood),	February 26, 1907.
Arella Colbert, et al. (as citizens),	February 26, 1907.
John D. Fleming (by blood),	February 26, 1907.
Edmond Macco Cohee (freedman),	February 26, 1907.
Temperence Caroline Batty (by blood),	February 26, 1907.
Amos Lewis (freedman),	February 26, 1907.
Mary A. Crowder (intermarriage),	February 26, 1907.
Cally Reives (freedman),	February 26, 1907.
W. J. Miller, et al. (Miss. Chec.),	February 7, 1903.
Henry Pruitt, et al.,	February 25, 1907.

A copy hereof and all the papers in the above-mentioned cases have been sent to the Indian Office.

Respectfully,

E. A. Hitchcock,

Secretary.

26 enclosures, and
63 enclosures to Ind. Of.,
with copy hereof.

WCF. 3-4-07.

Refer in reply to the following. Copy.

DEPARTMENT OF THE INTERIOR,

Land. OFFICE OF INDIAN AFFAIRS,

20388-1907.

WASHINGTON. March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed report of Commissioner Bixby dated February 23, 1907, transmitting the record in the matter of the application for the enrollment of Charles H. Hopkins, Rachel Hopkins, John E.Hopkins, Abraham Grant Hopkins, Ruth Estelle Hopkins, William Isom Hopkins, and T. H. Marvin Hopkins as Choctaw or Chickasaw freedmen, including the Commissioner's decision of February 23, 1907, denying the application.

The record has been examined and it is believed that the Commissioner's decision is correct. Its approval is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

GAW-W

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE DIVILIZED TRIBES.

Atoka, Indian Territory, February 20, 1907.

In the matter of the application for the enrollment of Charles H. Hopkins, et al., as a freedman of the Choctaw Nation.

Aleck Boyd, being first duly sworn and examined, testifies as follows:

ON BEHALF OF THE COMMISSIONER:

Q What is your name? A Aleck Boyd.
Q How old are you? A About fifty.
Q What is your postoffice address? A Atoka.
Q What is the name of your father? A Sam Boyd.
Q What is the name of your mother? A Dianah.
Q How many times was your father married? A Twice.
Q What was the name of his other wife? A Patsy Boyd.
Q Was Patsy Boyd your father's first or second wife? A Second.
Q Did he have a daughter by the name of Rachel by this second wife? A Yes, sir.
Q Did Rachel Boyd ever marry? A Yes, sir.
Q Whom did she mayry? A Charles H. Hopkins.
Q Do you know when they married? A No, sir, I was not there when they were married, but I was there some time soon afterwards and they were living together.
Q Did they have any children? A Yes, sir, one boy, that is all I know of.
Q What was his name? A I don't know, it was about a week old when I saw it.
Q Rachel Boyd is your half sister, is she? A Yes, sir.
Q Is she living? A No, sir, she is dead.
Q How long has she been dead? A As near as I know it has been twelve or fifteen years any way.
Q Do you know the exact time of her death? A No, sir.
Q You know it to be a fact that she has been dead at least twelve years, do you? A Yes, sir.
Q Where did she die? A At Double Springs, I.T., southeast of Caddo.
Q About how long had they been married and lived together prior to your sister, Rachel's death? A About a year and a half or two years. Some wheres along there.
Q Are you sure that they had not lived together longer than two years? A I don't think they had.
Q Do you know where Charles H. Hopkins and family now live? A No, sir, the last I seen them they was in Bonham, Texas.
Q Was he making that his home at that time? A I think he was. I was on the train when I saw him and he came to me and said he was living there.
Q Do you know how long he had been living at Bonham, Texas? A A No, sir, I don't know.
Q When was this you saw Charles H. Hopkins on the train? A Between eight and nine years ago.
Q You don't know the exact time this was, do you? A No, sir.
Q Do you know if Charles H. Hopkins has ever remarried since the death of his wife, Rachel? A No, sir.
Q Do you knw if he was ever married prior to his marriage to Rachel Boyd? A No, sir.

(Witness excused)

I, Fay E. Blackert, upon oath, state that I reported the proceedings in the above and foregoing cause, and that the same is a true and correct transcript of my stenographic notes taken therein.

Fay E. Blackert

Subscribed and sworn to before me this 20th day of February, 1907.

Richard Shanafelt
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, April 11, 1902.

---O---

In the matter of the application of Charles H. Hopkins, for the enrollment of himself, his wife and four minor children John E., Abraham G., Ruth E., Willie I., and T. H. Marvin Hopkins as Choctaw freedmen.

---O---

Applicant represented by E. Hastain, Attorney.

---O---

Charles H. Hopkins, being first duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Charles H. Hopkins.
Q What is your age? A As near as I can come at it I think about fifty or forty eight or nine.
Q What is your post office address? A Caddo.
Q Caddo, Indian Territory? A Yes sir.
Q What is your father's name? A Enoch Hopkins.
Q Is he living or dead? A Dead.
Q What is your mother's name? A Charlotte.
Q Is she living or dead? A Dead.
Q How long have you lived in the Choctaw Nation? A I lived there all the time.
Q Born in the Choctaw Nation? A Yes sir.
Q Were you a slave of a Choctaw Indian? A yes sir.
Q What was his name? A Dave Folsom.
Q Is he a recognized citizen by blood of the Choctaw Nation? A Yes sir.
Q Whereabouts did he live? A Doaksville.
Q What county? A Towson.
Q When did he die? A I dont know when he died; I was quite small when he died.
Q What was the name of his wife? A The name of his wife was;-- I dont remember the name of his wife -- that is her given name; they used to call her Easter.
Q Is she living or dead? A She's dead.
Q Whereabouts in the Choctaw Nation was you born ? A I was born there not far from Kiamichia.
Q Where were you living at the time you was set free? A I was living at Doaksville.
Q Was Dave Folsom living at the time you were set free? A No sir.
Q Was his wife living at that time? A No sir; I dont think that she was.
Q Is Robert Folsom a Choctaw Indian? A I dont know; I aint acquainted with him.
Q Was David Folsom a Choctaw Indian? A Yes sir.
Q Always enrolled and recognized by the tribal authorities as a citizen? A Yes sir.
Q Did you belong to him? A Yes sir.
Q [illegible] Yes sir.

Q Who? A Why I belonged to Colonel Folsom. His name was Sim Folsom.
Q Wher e were you born? A I was born not far from Kiamitia.
Q Choctaw Nation? A Yes sir.
Q Always lived there? A Yes sir.
Q Were your mother and father both slaves of Choctaw Indians?
A My mother was.
Q Who did your mother belong to when you was born? A To old man Dave Folsom.
Q Did you always belong to Dave Folsom? A Always belonged to him until he died; then I belonged to Colonel Folsom.
Q That is his son? A Yes sir.
Q Did you ever live anywhere besides the Choctaw Nation?
A Not in that time except since the time I been preaching.
Q Do you remember when the war broke out? A Yes sir.
Q Where was you living then? A I was living with this Folsom.
Q In the Choctaw Nation? A Yes sir.
Q Did you stay in the Choctaw Nation during the whole time of the war? A No sir.
Q Where did you go? A He taken me with him?
Q Where? A In the war.
Q Where did he take you to? A Up the country here.
Q Whereabouts? A I dont know where it was; I was'nt acquainted then with the country.
Q Where did you go? A Went up north here.
Q What place -- tell me some place you went to.
A I suppose now -- it's up somewhere about in Arkansas I reckon. And up this way(Indicating)
Q Dont you remember the name of some place you went to?
A I remember we went to Little Rock.
Q Little Rock Arkansas? A Yes sir.
Q How long did you stay in Arkansas? A Stayed there I suppose about two or three months.
Q Then where did you go? A Went on then up the country.
Q How long were you out of the Choctaw Nation? A Let's see - we went-- I dont know how long we was out of it.
Q About how long? A I suppose about one or two years I guess
Q What was you doing all that time? A I was waiting on him.
Q What was he? A He was a Colonel.
Q In what army? A In the army up here.
Q Where was you when the war was over? A I was with him.
Q Where? A In the war -- when we come back?
Q When the war was over where was you? A We come back.
Q Where were you when the was was over? A In the Choctaw Nation
Q Do you remember the treaty of Fort Smith? A Yes sir.
Q Remember when the slaves were freed? A Yes sir.
Q Where was you then? A I was here.
Q Where? A In the Choctaw Nation. We come back when the war was over; when peace was declared we come back.
Q Were you away when peace was declared? A No sir.
Q What do you mean by come back? A I mean when peace was declared-----
Q Where was you? A I was here in the Choctaw Nation.
Q What did you mean by saying you come back after peace was declared ? A I meant to say we come back -- when we went back from the war I guess peace was declared.
Q Where did you go from -- what do you mean by "went" after the war was over -- where was you? A I was'nt home; we was out here in the war where we was ordered to go -- I guess we that; I was with him; I didn't pay no attention to where we went nor the place we I was with him.
Q Have you lived in the Choctaw Nation ever since then? A Yes sir.

Q Do you remember the payment of one hundred dollars when that was made to the freedmen of the Choctaw Nation? A No sir.
Q Did you ever get one hundred dollars from the Choctaw Nation? A Never did.
Q Did you ever move out of the Choctaw Nation? A No sir; I never moved out; I went out but I never moved out.
Q What do you mean by went? A I went out preaching.
Q Have you got any witnesses here that knew anything about your owner and about your residence in the Choctaw Nation?
A Yes sir.

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Henry Chalk, a witness on behalf of the applicant, being called and duly sworn testified as follow s:

Examination by the Commission:

Q What is your name? A Henry Chalk.
Q How old are you? A I cant tell exactly.
Q About how old? A I reckon nearly sixty but cant tell exactly.
Q Where do you live? A I was born and raised in the Choctaw Nation but I'm working up here how for a while.
Q Was you a slave of a Choctaw Indian? A Yes sir.
Q Who did you belong to? A The first was Holmes and then from that to widow Taylor.
Q Always lived in the Choctaw Nation? A Never was anywhere else until I come up here.
Q Do you know this man Chalras H. Hopkins? A Yes sir.
Q How long have you known him? A I cant tell you how many yeam
Q About how long have you known him? A About thirty eight I reckon or forty years - near about.
Q When did you first know him? A At Doaksville. I was raised down there at Doaksville.
Q How old was he when you first knew him? A I dont know.
Q About how old? A He was a good stout young man.
Q Who did he blong to? A Colonel Folsom. His right name is Sim but they call him Colonel because he went to war.
Q He was a Choctaw Indian? A Yes sir.
Q Was you in the Choctaw Nation all the time during the war?
A Right at home.
Q Never went away? A Never went away.
Q How near did you live to this man? A I lived about ten or twelve miles from Doaksville.
Q How often did you see him? A I dont know; just different times; during the war I didn't see him none because he went off.
Q When did he go away? A Went off during the war.
Q The early part of the war? A Well I think it was pretty much the early part of the war; a good many Choctaw soldiers went and Colonel Folsom went and after peace was made he was right back there.
Q When did he come back? A As soon as they came from war after peace was declared.
Q About how long was he away? A About two or three years I reckon. I dont know.
Q Do you know the date he came back? A No sir I dont know what day he come back; but he was back there; his master and him both.

Q All the time he was away who was he with? A I cant tell you.
Q You dont know anything about that; he may have been with different men; you dont know anything about that?
A No sir.
Q He didn't come back until after peace? A Just come back when the other soldiers come back?
Q Was that after the war? A Just when peace was declared.
Q Do you remember the treaty of Fort Smith? A No sir.
Q Do you remember when the Choctaws adopted the freedmen -- the treaty of Fort Smith, Arkansas? A I he ard of it but I dont know what time.
Q Do you remember it? A Yes sir.
Q Where was this man then? A I dont know.
Q Was he bac k to the Choctaw Nation then? A He was back when peace was declared..
Q Been living there ever since? A He was gone a long time; I been there all the while.
Q What do you mean by gone a long time? A I didn't see him; at leac^t he went off like a heap of others go off and stay and come back; but before I come up here, and I been up here now fourteen years working up here, he was down there and I left him down there and everytime I go down there he'd be down there - preaching round.

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Charles H. Hopkins being re-called testified as follows:

Examination by the Commission:

Q Is your wife a slave of a Choctaw Indian? A Yes sir.
Q Who did she belong to? A Peachlen.
Q What Peachlen was it? A. Tom.
Q Was he a recognized citizen of the Choctaw Nation? A Yes sir.
Q Whereabouts did he live? A He lived at Doaksville.
Q Where was your wife born? A She was born in Blue County.
Q At what place in Blue County? A At a place called Double Springs.
Q How old is your wife? A She's about thirty two.
Q When was you married to her? A I was married to her in '76.
Q Has she always lived in the Choctaw Nation? A Yes sir.
Q Never been out of the Choctaw Nation? A No sir; only when she was with me, when I went out of the Choctaw Nation.
Q Where did you go to? A I went out in the Ministry. I come up here.
Q You went into the Creek Nation did you? A Yes sir.
Q What was you doing in the Creek Nation? A I was preaching.
Q Your wife was with you? A Yes sir.
Q Where is your wife now? A She's down home.
Q In the Choctaw Nation? A Yes sir.
Q Have you got a marriage license and certificate? A Yes sir.
Q Got it with you? A No sir.
Q What is the name of your wife's father? A Sam Boyd.
Q What is the name and age of your eldest child? A John H. Hopkins.
Q How old? A He's going on eighteen.
Q What is the name and age of your second child? A Abraham Grant Hopkins, aged twelve years.

Q What is the name and age of the next child? A Ruth Estella Hopkins, ten years.
Q What is the name and age of the next one? Willie Inom Hopkins, seven years and a half.
Q What is the name and age of the next one? A T. H. Marvin H. Hopkins. He's five years old.
Q You are the father of these children? A Yes sir.
Q Your wife Rachael Hopkins is the mother? A Yes sir.
Q Is she living with you now? A Yes sir.
Q And always has? A Yes sir.
Q Their post office address is the same as yours? A Yes sir.

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Henry Chalk being re-called testified as follows:

Examination by the Commission:

Q Do you know Rachael Hopkins the wife of Charles H. Hopkins?
Q Yes sir.
Q How long have you known her? A I been knowing her from a small little gal.
Q Did you know her parents -- her mother?A Yes sir.
Q What was her name? A Patsy.
Q Patsy what? A She went by Patsy Boyd after she was freed.
Q Was the mother of Rachael Hopkins a slave of a Choctaw Indian? A Yes sir.
Q What is his name? A Her first owner was Peachlen and then Garland.

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By the Commission to Applicant:

Q It would be best for you to file evidence of your marriage.
A Yes sir.

The decision of the Commission as to the application for your enrollment and that of your wife and minor children will be mailed to you at your present post office address as given in your testimony.

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Charles H. Hopkins being recalled testified as follows:

Examination by E. Hastain, Attorney:

Q Is this the first time that you have made application to the Commission for enrollment? A Yes sir.
Q Why didn't you make application sooner? A Well, the reason I didn't make application sooner I didn't care about living under the laws as they was and then I was away preaching round from place to place and never knowed the real condition of affairs. I was a missionary travelling from place to place - organizing the work.
Q Where did you preach? A In the Indian Territory.
Q Where is your home now? A My home now?

Q Yes. A In the Choctaw Nation.
Q While you are out preaching and you go back home, where would you go to; what do you consider home? A I consider my home in the Blue County Choctaw Nation.
Q State what particular place? A Double Springs.
Q You say you have a place there? A Yes sir.
Q What kind of a place have you there? A I have a farm there
Q Improvements? A Yes.
Q What improvements have you on that farm? A I have a house with four rooms in it and a crib and barn, and got a fence round my farm.

Examination by the Commission:

Q How much land have you got? A I got in cultivation about between sixty and seventy acres.
Q All enclosed? A Yes sir.

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Clara Mitchell Wood being first duly sworn upon her oath states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 11th day of April 1902 and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Clara Mitchell Wood

Subscribed and sworn to before me this 19th day of April 1902.

William T. Martin
Notary Public.

17-D-112.

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, Nov 11,1905.

In the matter of the application for the enrollment of Charles H. Hopkins, et al., as Choctaw Freedmen.

Charles H. Hopkins, having been first duly sworn, on his oath, testified as follows:

EXAMINATION BY THE COMMISSION:

Q What is your name? A Charles H. Hopkins.
Q How old are you? A About 52.
Q What is your postoffice address? A Sherman, Texas.
Q Have you a street number? A Yes sir; 601 North Branch Street.
Q You claim to be a Choctaw Freedman? A Yes sir.
Q Were you a slave of a Choctaw citizen at the commencement of the war of the Rebellion. A Yes sir.
Q To whom did you belong? A I belonged to Folsom.
Q What was his first name? A Colonel Folsom.
Q Was he your owner at the commencement of the war of the Rebellion?
A Yes sir.
Q How long had you been his slave at that time? A Well, I don't know-- I don't---
Q Who did you belong to at the commencement of the war of the Rebellion? A Colonel Folsom.
Q During the war, did you go outside of the Choctaw Nation?
A Yes sir.
Q Where did you go? A I wnt with Colonel Folsom; he went in the war; I was a boy with him.
Q Where did he take you to? A Went down to Arkansas, and down to Mississippi and down there--
Q At the close of the war, did you return to the Choctaw Nation?
A I didn't return right away, because I went into the service, I was captured and went in--
Q Who captured you? A The Northern Army.
Q How long after this was it, did you get back? A Just as soon as I got out of the service.
Q How long after this did you get back? A Got back in 1865 or '66.
Q Where were you in prison? A I was not in prison.
Q You said you were captured? A I was discharged--the service-- I come and when the war was over they gave me my discharge.
Q You were not an enlisted soldier? A No sir. They put me on the rolls--I was--
Q What year was it that you came back to the Choctaw Nation?
A In 1865 or '66.
Q How long have you lived in the Choctaw Nation after that?
A Then up until 1884.

Q Then what did you do? A I went into the Ministry then.
Q You left the Indian Territory in 1884? A Yes sir; I traveled all through this country.
Q Have you ever had your home in Indian Territory since that time?
A Yes sir.
Q When did you return to the Indian Territory. A I returned--Well, I was traveling through this country.
Q You stated you left the Indian Territory in 1884. Where did you go? A Arkansas.
Q How long did you live in Arkansas? A A year and a half.
Q Then where did you go? A To Texas.
Q How long did you live in Texas? A In Texas from that time up until 1900.
Q Then where? A I was in and out.
Q After 1900, where were you? A I staid in here then two years.
Q Where were you married? A Married at Double Springs, Choctaw Nation.
Q What is the name of your wife? A Rachel.
Q When did you marry her? A Married her in 1881 or '2.
Q Rachel was born after the war of the Rebellion? A Yes sir.
Q What was the name of her father? A Sam Body.
Q Was he a slave of a Choctaw Indian at the commencement of the War of the Rebellion? A Yes sir.
Q To whom did he belong? A Now I don't know--he was--
Q To whom did he belong? A I think it was Tyshotubby.
Q Was hean Indian? A Yes sir.
Q What kind? A Chickasaw, I think he was- Chickasaw.
Q Were you personally acquainted with him? A No sir.
Q What are you testifying from? A From what he said.
Q Did you ever see him, Sam Boyd? A Yes sir. I married his daughter, and lived with him, we all lived together.
Q Where was Boyd living during the War? A He was living--I don't know where he was living at.
Q What was the name of Rachel's mother? A Patsy.
Q Patsy Boyd? A Yes sir.
Q Was Patsy a slave? A Yes sir.
Q Who owned her? A She belonged to the Folsom family.
Q Which one? A Dave Folsom.
Q Were you acquainted with her during the war? A Got acquainted with her afterwards.
Q What time after the war? A It was in '65 I think, or '66.
Q After you returned? A Yes sir.
Q Did Rachel Hopkins, your wife, go with you to Texas, when you moved from the Indian Territory? A No sir.
Q Where did you stay? A I staid in Pine Bluff, I come back and forth.
Q Was she over there with you? A No sir.
Q When did she join you in Arkansas? A She only came to visit me.
Q Where did she maintain her home all this time? A At Double Springs, Choctaw Nation.
Q How long did she live there? A Lived there all the time.
Q You mean to say that she has never been with you at all?
A She would come out and stay with me, maybe three weeks and then go back home.
Q Did she ever live with you in Texas? A No sir. Just come and visit and go back home, when I could not get off to come and see her she come to see me.
Q Is your wife living now? A No sir.

Q When did she die? A She died in 1887.
Q Rachel died in 1887? A Yes sir.
Q How is it you happened to make application for her then if she died in '87? A She died in 1900- in 1904; we married in 1881.
Q How many years ago since shed? A It has been 9 or 10 years ago. It has been little over 2 years ago.
Q How much over 2 years ago?--do you remember when you appeared here before the Commission on April 11, 1902, was she living then? A Yes sir.
Q How long after that did she die? A That fall.
Q What time? A Died on the 14th day of November, I think.
Q Have you any recordxof her death? A I think I have it some where.
Q Where did she die? A She died at Double Springs.
Q Is that a postoffice? A No sir.
Q What is the name of the postoffice? A Postoffice Caddo.
Q Where was your child John E. born? A Double Springs.
Q Where is he now? A He is dead.
Q When did he die? A He died in------
Q Before or after your wife? A Little after she died. Died about 2 months, I think.
Q Where did he live during his lifetime? A Right there?
Q All the time? A Yes sir.
Q Is Abraham D. living? A Yes sir.
Q Where is he now? A With me.
Q In Texas? A Yes sir.
Q How long has he been down there? A Been down there now three years.
Q When did you take him, after your wife's death? A Yes sir.
Q Where is Ruth E.? A She is with me?
Q In Texas? A Yes sir.
Q How long has she been with you? A About 2 years. I took them all after she died.
Q Is Willie J. living? A Yes sir.
Q With you? A Yes sir.
Q T. H. Marion living? A Yes sir.
Q When you appeared before the Commission on April 11, 1902, you were asked "Were you a slave of a Choctaw Indian" and you said "yes sir" and then asked you his name and you said "Dave Folsom". How is it you state to-day you belonged to Colonel Folsom? A Well, you see, old man, Colonel Folsom, we all belonged to him and then come out from Mississippi, my mother--and at his death then we fell in the hands of Dave.
Q Is Dave the son of Colonel Folsom? A Yes sir.
Q Do you recollect personally, Dave Folsom and Colonel Folsom.
A I recollect Dave better than I do Colonel, cause I was quite small.
Q You stated that during the war you were body servant of Colonel Folsom, and now say you were better acquainted with Dave? A I was nothing but a boy.
Q What relation is Dave to Colonel Folsom? A He was his son.
Q On April 11, 1902, in answer to the question "Did you always belong to Dave Folsom" you stated "always belonged to him until he died then I belonged to Colonel Folsom." Is this so?
A Yes sir.
Q You state now that Dave was the son of Colonel Folsom, at that time you stated that Colonel Folsom was the son of Dave. Do you know anything about it? A Yes sir, Colonel Folsom was the old man, Dave Folsom was his son; we all belonged to the old man and at his death we fell in the hands of his son Dave

Q Do you know of anybody who could testify relative to the parents of your wife, Rachel Hopkins, as to whether or not they were slaves of Choctaw or Chickasaw Indians? A The last one is dead.
Q On April 11, 1902, this question was asked you, relative to your wife, "was your wife a slave of Choctaw Indian" and you said "Yes sir," to whom did she belong? And you stated "Pitchlynn". What Pitchlynn was it, "Tom," Q Was he a Choctaw Freedman ? and you said "Yes." Now to-day you have not testified to the same at all? A The way that come in asked about her mother. Her mother belonged to Pitchlynn, and she fell in the hands of Pitchlynn and, of course, Rachel being her daughter--Rachel was not then born--she would likely come up under their head.
Q Your wife, Rachel, was not born until after the War, and how could she be a slave of Tom Pitchlynn--you said her mother belonged to Folsom? A The folsom family and she fell to Pitchlynn; Pitchlynn married in the family--married Dave's sister.
Q What was her name? A She married Pitchlynn.
Q What was her name? Folsom.
Q Her given name? A Eliza. And then you see part of the property was divided that some went to Dave and some went to her. Her name was Pitchlynn.
Q What was Pitchlynn, Choctaw or Chickasaw? A Choctaw.
Q What was your wife's father's name? A Sam Boyd.
Q What was he? A He was a Freedman.
Q To whom did he belong? A I don't know who he belonged to. He said that he belonged to Tyshotubby, I don't know what he was, a Choctaw or Chickasaw but he lived in the Choctaw Nation.
Q How soon after the war did you become acquainted with Rachel's mother? A I come acquainted with her in 1860 or '66.
Q Before or after you returned? A Well, I had heard of her long time before zI left but I never saw her--
Q And still you state she belonged to the same family you belonged to. A Yes, she belonged to the same family I did but never was together.
Q How far apart? A Expose about 100 or more miles.
Q Where was she living during the war? A In Caddo Hills.
Q Where was your home? A Down about Deaksville.
Q On April 11, 1902, in answer to the question "What was you doing in the Creek Nation" you answered "I was preaching", your wife was with you" and you answered "Yes sir"? A Well, what I meant she was in the Nation with me.
Q What Nation? A Indian Territory; our home was in the Choctaw Nation and when I was in the Creek Nation she was at Double Springs.
Q Since you went out of the Indian Territory in '84 have you owned any property here? A Yes sir; I owned a farm down here at Sulphur Springs.
Q When did you get that farm? A I got that farm in 1881.
Q Got it before you were married? A I had the place before I married.
Q You mean to state that you had a home down there in the Choctaw Nation in 1880? A Well, it wasn't improved.
Q As a matter of fact you did not have any property down there?
A No, didn't have any improved. Didn't have anything down there.
Q What you had you had with you? A Had with me before I married. Yes sir, I had in 1880 or '81 that I owned that place.
Q Who did your wife live with while you were gone? A Her mother and father.
Q As a matter of fact then, you didn't have any place? A No, I

didn't have no place improved.
Q All you had was a prospective right to a place if you proved your claim? A Yes sir.
Q Didn't have anything? A No sir; only just had the place
Q You thought you would get a place? A Well, yes sir.
Q You didn't do any cultivating? A No sir.
Q Didn't have a house down there? A Yes sir had a house built.
Q Your wife lived with your family; what did you do with it?
A Its there; never been occupied.
Q You mean before you married? A Yes sir.
Q Who lived in it then? A A man by the name of Welch.
Q What did he do with it? A I rented it to him.
Q When was that house built? A In 1880 or '81.
Q How long did you draw rent from it? A I got rent from it right along.
Q Until when? A Until a year or two ago.
Q Why didn't you draw any more rent? A The reason because I just let it stand there.
Q You realize that you are under oath? A Yes sir.
Q You say here "we always lived with the old man? A The place that I had was here, joining; I had a house on--I been off preaching all the time and I had this place improved and let the improvements to for the rent.
Q You got somebody to make a place for you? A The improvements, yes sir.
Q You didn't put any money in it? A I didn't put the cash money--I put the money's worth.
Q What in? A The rails and breaking the land; I let them have a cow and calf in 1880.
Q You never got a cent in money rent for that place? A Yes sir, i got two years; I got one bale of cotton and a half.
Q When? A In 1882.
Q And you haven't got anything since that time? A Yes sir.
Q You have received anything since that time? A Yes; I got, since that time--I got 2 bales of cotton and some corn.
Q When was this? A This was in 1887.
Q That the last time you got anything? A Yes sir. I got nothing since that time.
Q And you make no claim to that now? A Well, no sir.

You are requested to furnish this office with the original or certified copy of the marriage certificate, showing your marriage to Rachel Hopkins; and it will also be necessary for you to furnish proof of death of your wife, Rachel, and John E..

Q Who attended your wife in her last illness? A Dr.Covington.
Q Is he at Caddo now? A No sir, I don't know where he is at.
Q Who attended your son, John E? A Dr. Cook.
Q Where is he living? A He lived in Bonham.
Q Texas? A Yes sir.
Q Your son, John, died in Texas? A No sir; he died in the Territory.
Q How did it happen that Dr. Cook attended him? A He was visiting there--he come over.
Q How far is Bonham from Caddo? A About 15 miles.
Q Where were you stationed in Arkansas? A I was Presiding Elder of the Little River District.
Q Where were you stationed? A My head quarters was at Mineral

Springs.
Q How long did you live there? A Two years.
Q Then where did you go? A I went to Texas.
Q What place? A I went to Bryant.
Q How long did you stay at Bryant? A About a year.
Q Did you vote while you were at Bryant? A No sir.
Q Why? A The reason I never cared.
Q After you left Bryant, where did you go? A I went to Huntsville
Q How long did you stay at Huntsville. A Three years.
Q Did you ever vote at Huntsville? A No sir.
Q Are you certain about that? A Yes sir.
Q Then where did you go from Huntsville? A From there to Palestine.
Q How long did you liveat Palestine? A I staid there a year.
Q Did you vote at Palestine? A No sir.
Q Where did you go from Palestine? A From Palestine, I went to Dew.
Q How long did you stay there? A I staid there about 6 months or more; I staid there about 8 months.
Q Vote while you were there? A No sir.
Q Where did you go then? A LaHare.
Q How long did you stay there? A Staid there three years, I think.
Q Vote there? A No sir.
Q Where did you go when you left LaHare? A To Paris.
Q How long did you stay in Paris? A I staid in Paris 6-1/2 years
Q After you left Paris, where did you go? A I went to Tyler.
Q How long did you stay there? A Two years.
Q Then where did you go? A Denton.
Q How long did you stay at Denton? A Three years.
Q Then where did you go? A From there to Gainsville.
Q How long did you stay at Gainsville? A I been at Gainsville now been eleven months.
Q Do you own any property in the State of Texas? A I am buying some? Q Where? A Sherman
Q When did you contract to get it? A I contracted to get it about 4 years ago.
Q Where were you staying when you got this property? A I was staying at Paris.
Q What does that property consist of? A It consists of a house and couple lots.
Q How many years have you been paying taxes on that? A I paid taxes on it 2 years.
Q Why did you pay taxes on it 2 years? A Before that it was paid up.
Q Did your children come to live with you soon as you bought that place? A Yes sir.
Q Your wife was dead then? A Yes sir.
Q If that is the case, your wife has been dead 4 years? A I bargained for the place and commenced payment on it--quite got it paid for.

Witness excused.

Josie Davies, having been first duly sworn, states: That as stenographer in the office of the Commissioner to the Five Civilized Tribes, she reported the above proceedings on the 11th day of

November, 1905, at that the above and foregoing is a full, true and correct transcript of her stenographic notes taken in said cause on said date.

Josie Davis.

Subscribed and sworn to before me this November 11, 1905.

Myron White
Notary Public.

17-D-112
D.C.L.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Charles H. Hopkins, et al., as Choctaw freedmen.

DECISION.

It appears from the record herein that on April 11, 1902, at Muskogee, Indian Territory, Charles H. Hopkins made application to the Commission to the Five Civilized Tribes for the enrollment of himself, his wife Rachel, and his minor children, John E., Abraham Grant, Ruth Estelle, Willie Isom and T. H. Marvin Hopkins as Choctaw freedmen.

Although ample opportunity has been afforded the applicants to show by satisfactory evidence that they are entitled to enrollment as Choctaw or Chickasaw freedmen they have failed to do so.

I am of the opinion that following the ruling of the Department in the cases of Eliza J. Bryant, et al. (I.T.D. 544-1904), William Rector (I.T.D. 1468-1904), Minnie Duncan, et al. (I.T.D. 1470-1904), Samantha Chambers (I.T.D. 2296-1904), Ed. Williams (I.T.D/ 4230-1904), Moses Ross (I.T.D. 6056-1904), Florence Bratcher (I.T.D. 12692-1904) and Frankie Grimmett (I.T.D. 17902-1905), the application for the enrollment of Charles H. Hopkins, Rachel Hopkins, John E. Hopkins, Abraham Grant Hopkins, Ruth Estelle Hopkins, William Isom Hopkins and T. H. Marvin Hopkins, as Choctaw or Chickasaw freedmen, should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

FEB 23 1907

17-D-112

COPY

Muskogee, Indian Territory, February 23, 1907.

Charles H. Hopkins,
601 N. Branch St.,
Sherman, Texas.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 23, 1907, denying the application for the enrollment of yourself, Rachel Hopkins, John E. Hopkins, Abraham Grant Hopkins, Ruth Estelle Hopkins William Isom Hopkins and T. H. Marvin Hopkins as Choctaw or Chickasaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Incl. 17-D-112

17-D-112

COPY

Muskogee, Indian Territory, February 23, 1907.

E. Hastain,

Muskogee, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 23, 1907, denying the application for the enrollment of Charles H. Hopkins, Rachel Hopkins, John E. Hopkins, Abraham Grant Hopkins, Ruth Estelle Hopkins, William Isom Hopkins and T. H. Marvin Hopkins as Choctaw or Chickasaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
Incl. 17-D-112

17-D-112

COPY

Muskogee, Indian Territory, February 23, 1907.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:-

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 23, 1907, denying the application for the enrollment of Charles H. Hopkins, Rachel Hopkins, John E. Hopkins, Abraham Grant Hopkins, Ruth Estelle Hopkins, William Isom Hopkins and T. H. Marvin Hopkins as Choctaw or Chickasaw freedmen.

The decision, with therecord of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Incl. 17-D-112

COPY

Muskogee, Indian Territory, February 23, 1907.

The Honorable,

The Secretary of the Interior:

Sir:

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Charles H. Hopkins, Rachel Hopkins, John H. Hopkins, Abraham Grant Hopkins, Ruth Estelle Hopkins, William Isom Hopkins and T. H. Marvin Hopkins as Choctaw or Chickasaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated February 23, 1907, denying said applications.

Respectfully,

SIGNED Tams Bixby

Commissioner.

2 Incl.

Through the
Commissioner of Indian Affairs.

Muskogee, Indian Territory, February 27, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

On February 23, 1907, this office transmitted to the Department the record in the matter of the application for the enrollment of Charles H. Hopkins, et al., as Choctaw or Chickasaw freedmen, including the decision of the Commissioner of the same date, denying said applicants.

I now have the honor to transmit herewith the testimony of Aleck Boyd, taken by the Clerk in Charge of the Choctaw Land Office at Atoka, Indian Territory, on February 20, 1907, relative to said case.

Respectfully,

Commissioner.

Inc. DeB-1/27.

Through the
Commissioner of Indian Affairs.

JP.
W.H.M.

D. C. 12854-1907.

DEPARTMENT OF THE INTERIOR,

WASHINGTON. March 4, 1907.

I. T. D.
4398, 5188, 6184, 6928,
6932, 7112, 7450, 7452,
7456, 7464, 7494, 7496,
7664, 7688, 7692, 7706,
7710, 7722, 7726, 7732,
7740, 7750, 7756, 7818,
7870, 7832,--1907.
LRS.

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship cases, adverse to the applicants, are hereby affirmed. Copies of Indian Office letters, submitting your reports and recommending that the decisions be affirmed, are enclosed herewith:

Title of Case.	Date of your letter of transmittal.
Carlton Smith (Miss. Choc.)	January 21, 1907.
Mattie McFarland (intermarriage)	October 19, 1906.
Elmer Meadows (freedman)	February 13, 1907.
Daniel Oscar Sledge, et al., (by blood),	February 14, 1907.
Nula Lewis (freedman),	February 14, 1907.
Henry Adams (freedman),	February 14, 1907.
Mattie Beck (intermarriage),	February 13, 1907.
Clyde R. Coleman (by blood),	February 21, 1907.
Alice Chatman (freedman),	February 21, 1907.
Jim Brown (freedman),	February 21, 1907.
John Frankling Brewer (by blood),	February 21, 1907.
Cordelia Frazier, et al. (freedmen),	February 21, 1907.
John Herbert LaFiere (freedman),	February 23, 1907.

Mabel M. Jones, et al. (by blood),	February 21, 1907.
Charles H. Hopkins, et al. (Choctaw or Chickasaw freedman)	February 23, 1907.
T. L. Reid, Jr., et al. (by blood),	February 26, 1907.
Albert James (by blood),	February 26, 1907.
Arella Colbert, et al. (as citizens),	February 26, 1907.
John D. Fleming (by blood),	February 26, 1907.
Edmond Mason Gokee (freedman),	February 26, 1907.
Temperance Caroline Batty (by blood),	February 26, 1907.
Ames Lewis (freedman),	February 26, 1907.
Mary A. Crosier (intermarriage),	February 26, 1907.
Cally Reives (freedman),	February 26, 1907.
W. J. Miller, et al. (Miss. Chce.),	February 7, 1903.
Henry Pruitt, et al.,	February 28, 1907.

A copy hereof and all the papers in the above-mentioned cases have been sent to the Indian Office.

Respectfully,

E. A. Hitchcock,

Secretary.

26 enclosures, and
63 enclosures to Ind. Of.,
with copy hereof.

WCV. 3-4-07.

Refer in reply to the following. Copy.

DEPARTMENT OF THE INTERIOR,

Land. OFFICE OF INDIAN AFFAIRS,

20388-1907. WASHINGTON. March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed report of Commissioner Bixby dated February 23, 1907, transmitting the record in the matter of the application for the enrollment of Charles N. Hopkins, Rachel Hopkins, John E. Hopkins, Abraham Grant Hopkins, Ruth Estelle Hopkins, William Ipom Hopkins, and T. H. Marvin Hopkins as Choctaw or Chickasaw freedmen, including the Commissioner's decision of February 23, 1907, denying the application.

The record has been examined and it is believed that the Commissioner's decision is correct. Its approval is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

GAW-W

17-D-112

Muskogee, Indian Territory, April 15, 1907.

Charles H. Hopkins,
601 N. Branch St.,
Sherman, Texas.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 23, 1907, denying the application for the enrollment of yourself, Rachel Hopkins, John H. Hopkins, Abraham Grant Hopkins, Ruth Estelle Hopkins, William Isom Hopkins and T. H. Marvin Hopkins as Choctaw or Chickasaw freedmen.

Respectfully,

Tams Bixby

Commissioner.

17-D-112

Muskogee, Indian Territory, April 15, 1907.

E. Hastain,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 23, 1907, denying the application for the enrollment of Charles H. Hopkins, Rachel Hopkins, John E. Hopkins, Abraham Grant Hopkins, Ruth Estelle Hopkins, William Isom Hopkins and T. H. Marvin Hopkins as Choctaw or Chickasaw freedmen.

Respectfully,

Tams Bixby

Commissioner.

17-D-112

Muskogee, Indian Territory, April 15, 1907.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 23, 1907, denying the application for the enrollment of Charles H. Hopkins, Rachel Hopkins, John B. Hopkins, Abraham Grant Hopkins, Ruth Estelle Hopkins, William Isom Hopkins and T. H. Marvin Hopkins as Choctaw or Chickasaw freedmen.

Respectfully,

Tams Bixby

Commissioner.

REFER IN REPLY TO THE FOLLOWING:

COPY.

DEPARTMENT OF THE INTERIOR,

Land
20588-1907.

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed report of Commissioner Bixby dated February 23, 1907, transmitting the record in the matter of the application for the enrollment of Charles H. Hopkins, Rachel Hopkins, John E. Hopkins, Abraham Grant Hopkins, Ruth Estelle Hopkins, William Isom Hopkins, and T. H. Marvin Hopkins as Choctaw or Chickasaw freedmen, including the Commissioner's decision of February 23, 1907, denying the application.

The record has been examined and it is believed that the Commissioner's decision is correct. Its approval is recommended.

Very respectfully,

C. F. Larrabee,
Acting Commissioner.

GAW-W

Charles H. Hopkins et al.

REFUSED. FEB 23 1907

RECORD FORWARDED DEPARTMENT.

FEB 23 1907

COPY OF DECISION FORWARDED ATTORNEY FOR APPLICANT. FEB 23 1907

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. FEB 23 1907

COPY OF DECISION FORWARDED APPLICANT FEB 23 1907

ACTION APPROVED BY SECRETARY OF INTERIOR. MAR 4 - 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. APR 15 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEY FOR APPLICANT. APR 15 1907

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT. APR 1907

EMPTY

Choc FR D-114 Della James

Refused

FR D-114

17-D-110 17-D-113
17-D-111 17-D-114
17-D-118

Muskogee, Indian Territory, December 10, 1903.

W. A. Welch,

Attorney-at-Law,

Talihina, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 7, asking if Amanda Jackson, Lewis and Amzine Garnut, Alice Benton and Della Adkins have been approved as Choctaw freedmen.

In reply to your letter you are informed that it appears from our records that Manda Jackson, Amzine Conard and her children, Lewis Conard, Della James and her children and Alice Benton and her children, are applicants to this Commission for enrollment as Choctaw freedmen, but their final right to such enrollment has not yet been determined.

It does not appear from our records that any person by the name of Della Adkins is an applicant to the Commission for enrollment as a Choctaw freedman, and it is believed that the Della James above named is the Della Adkins referred to in your letter.

Respectfully,

Chairman.

17-D-110 17-D-114
17-D-111 17-D-115

Muskogee, Indian Territory, August 18, 1904.

Wanda Jackson,

Talihina, Indian Territory,

Dear Madam:

The Commission will hold a session at the Choctaw Land Office, at Atoka, Indian Territory, on September 6-7, 1904, and at the Chickasaw Land Office, at Tishomingo, Indian Territory, on September 8-9, 1904.

You may if you so desire, appear at one of the above named appointments, for the purpose of giving testimony relative to the rights of yourself, your children and your grandchildren as freedmen of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory,

April 2, 1902.

-----:----

In the matter of the application of Della James, for the enrollment of herself, and her minor children, Jesse James and Claudie James, as Choctaw freedman.

S. W. Isaac, Attorney for applicant.

Della James, being first duly sworn, testified as follows:-

Examination by the Commission.

Q. What is your name ? A. Della James.
Q. What is your age ? A. Thirty years old.
Q. What is your post office address ? A. Fort Smith.
Q. Fort Smith, Arkansas ? A. Yes, sir.
Q. Where do you live ? A. I live over near Poteau in the Choctaw Country.
Q. Do you live in the Choctaw Nation ? A. Yes, sir.
Q. How long have you been living there ? A. I come another time before now and stayed a while.
Q. What the name of your father ? A. Joe Colbert.
Q. Joe Colbert was your father ? A. Yes, sir.
Q. Is he living or dead ? A. Is dead.
Q. Was he a slave of Choctaw Indians ? A. Yes, sir, I heard ma say that.
Q. What was the name of your mother ? A. Amanda Colbert.
Q. Is she living ? A. Yes, sir.
Q. What place in the Choctaw County does your mother live ?
A. Just this side of the Arkansas River, near the Arkansas River bridge -- on this side, in the Choctaw Nation.
Q. Was your mother the slave of Choctaw Indians ? A. I have never heard her say that.
Q. Do you know whether or not she was ? A. No, sir.
Q. Whereabouts were you born ? A. Near South McAlester.
Q. In the Choctaw Nation ? A. Yes, sir.
Q. Have you always lived in the Choctaw Nation.
A. Yes, sir, but some times I would go to the states and stay a while.

Q. Have you lived in the Choctaw Nation for the last three years continuously ? A. Yes, sir.
Q. For the last three years continuously ? A. Yes, sir.
Q. All the time ? A. Yes, sir, I have.
Q. Are you married ? A. Yes, sir.
Q. What is the name of your husband ? A. John James.
Q. Is he a citizen of any nation in the Indian Territory ?
A. I have heard him that he was.
Q. What Nation doeshe say that he belongs to ? A. Some times he says that he is a Chickasaw, some times Choctaw, I have heard him name two or three different tribes and says that he belonged to that tribe -- he is very old.
Q. What is the name and age of your oldest child ? A. Jesse James, he is twelve years old.
Q. What is the name and age of your next child ? A. Claudie James and he is ten years old.

Examination by attorney for applicant.

Q. What was your father's name ? A. Joe Colbert.
Q. Was he a slave of Choctaw Indians ? A. Yes, sir, I heard mother say that.
Q. And you were born in the Choctaw Nation ? A. Yes, sir.
Q. And you have heard your mother say that your father was a slave of Choctaw Indians ? A. Yes, sir.
Q. You were born in the Choctaw Nation. ? A. Yes, sir.
Q. How long have you lived out of the Choctaw Nation in your life ? A. I have lived out of there nearly two years at a time.
Q. Where did you live when you were out of the Nation ?
A. Over at Fort Smith and some times on the Cherokee side.
Q. But you still claimedthe Choctaw Nation as your home ?
A. Yes, sir the Choctaw Nation is my home.
Q. Is your father living or dead ? A. He is dead.
Q. How long has he been dead ? A. Eight years.
Q. Do you know whether or not he was ever recognized as a Choctaw freedman.? A. No, sir.

Witness excused.

Fred V. Kinkade, being first duly sworn, on his oath states; that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all the proceedings had in the above entitled cause on April 2, 1902; that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on ~~said date in~~ April, 1902.

Fred V. Kinkade

Subscribed and sworn to before me this 5th. day of April, 1902

Mary Wallwood

Notary Public.

A. R. T.

COPY.

17-D-110.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Manda Jackson, et al., as Choctaw Freedmen, consolidating the applications of:

Manda Jackson	17-D-110.
Aurzine Conard	17-D-111.
Della James, et al.,	17-D-114.
Alice Benton, et al.,	17-D-115.

--: D E C I S I O N :--

It appears from the record herein that on March 26, 1902, application was made to this Commission for the enrollment of Manda Jackson and Aurzine Conard as Choctaw Freedmen, and on April 2, 1902, application was made to this Commission for the enrollment of Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton, as Choctaw Freedmen.

It further appears from the record herein that the applicant, Aurzine Conard, is a daughter of the said Manda Jackson; that the applicant Della James is a daughter of the said Manda Jackson and is the mother of the applicants Jesse and Claudie James; that the applicant, Alice Benton, is a daughter of the said Manda Jackson and is the mother of the applicants Albert and Velma Benton; that the said Aurzine Conard, Della James and her children, and Alice Benton and her children, claim ~~the right~~ to enrollment as Choctaw Freedmen, through the said Manda Jackson.

It further appears from the record herein that the said Manda Jackson claims that her father, Alexander Colbert, was a full blood Choctaw Indian, her mother being a negro, but she states that she does not claim any rights as a Choctaw by blood.

It does not appear from the records in the possession of the Commission that the said Alexander Colbert, Manda Jackson, or any of the other applicants herein have ever been enrolled by the tribal authorities of the Choctaw Nation, or admitted to citizenship in the Choctaw Nation by the legally constituted authorities of said nation, or by the Commission to the Five Civilized tribes, or by the United States Court in Indian Territory, in accordance with the provisions of the Act of Congress approved June 10, 1896, (29 Stat., 321).

It further appears from the record herein that the said Manda Jackson was born in the Choctaw Nation, about the year 1842, and has resided therein continuously since the date of her birth up to and including September 25, 1902, and the other applicants above mentioned are the children and grandchildren of the said Manda Jackson and claim the right to enrollment as Choctaw Freedmen by reason of being her descendants.

It further appears from the record herein that the said Manda Jackson was not at any time the slave of a recognized Choctaw Indian.

It is, therefore, the opinion of this Commission that Manda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton are not entitled to be enrolled as citizens by blood of the Choctaw Nation.

It is further the opinion of this Commission that Manda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton are not entitled to be enrolled as Choctaw Freedmen, and that the application for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898, (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SIGNED
Tams Bixby
Chairman.

SIGNED
T. B. Needles.
Commissioner.

SIGNED
C. R. Breckinridge.
Commissioner.

Muskogee, Indian Territory,

MAY - 6 1905

17-D-114.

COPY.

Muskogee, Indian Territory, May 6, 1905.

Della James,

Fort Smith, Arkansas.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of yourself and children, Jesse James and Claudie James, as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles.

Commissioner in Charge.

Registered.

Enc-17-D-110.

COPY

17-D-114
17-D-115

Muskogee, Indian Territory, May 6, 1905.

S. W. Isaac,

Attorney at Law,

Muskogee, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the applications for the enrollment of Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED

T. B. Needles,

Commissioner in Charge.

Registered.
Incl. 17-D-110.

17-D-
110 114
111 115

Muskogee, Indian Territory, May 6, 1905.

W. A. Welch,
Attorney at Law,
Talihina, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the applications for the enrollment of Manda Jackson, Aursine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED

T. B. Needles.
Commissioner in Charge.

Registered.

Incl. 17-D-110.

17-D-
110 111
114 115

COPY.

Muskogee, Indian Territory, May 6, 1905.

John J. Thomas,
Attorney at Law,
Talihina, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the applications for the enrollment of Manda Jackson, Aurline Conard, Nella James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizen by blood of the Choctaw Nation.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED Tams Needles

Commissioner in Charge.

Registered.
Incl. 17-D-110.

00:

110 17-D- 114
111 115

Muskogee, Indian Territory, May 6, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered May 6, 190 , denying the applications for enrollment of Wanda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Tams Bixby

SIGNED

Incl. 17-D-110.

Commissioner in Charge.

COPY.

Muskogee, Indian Territory, May 6, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the applications for the enrollment of Wanda Jackson, Auzaine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation, including the decision of the Commission, dated May 6, 1905, denying said applications.

Respectfully,

SIGNED.

T. B. Needles.

Commissioner in Charge.

Through the
Commissioner of Indian Affairs.

2 Incl. 17-D-110.

17-D-114

Muskogee, Indian Territory, February 24, 1906.

Della James,

Fort Smith, Arkansas.

Dear Madam:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes dated May 6, 1905, denying the application for the enrollment of yourself and children, Jesse James and Claudie James, as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. A. Pickard

Acting Commissioner.

17-D-114
17-D-115

Muskogee, Indian Territory, February 24, 1906.

S. W. Isaac,

Attorney at Law,

Muskogee, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the applications for the enrollment of Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers

Acting Commissioner.

17-B-

110 114
111 115

Muskogee, Indian Territory, February 24, 1906.

W. A. Walsh,

Attorney at Law,

Talihina, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the applications for the enrollment of Mamie Jackson, Aursine Conard, Della James, Jesse James, Elmadie James, Alice Benton, Albert Benton and Velma Benton, as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers

Acting Commissioner.

17-D-

110 114
111 115

Muskogee, Indian Territory, February 24, 1906.

John J. Thomas,

Attorney at Law,

Talihina, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the applications for the enrollment of Manda Jackson, Aursine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo D Rodgers

Acting Commissioner.

1706- 110, 111,
114-115.

Muskogee, Indian Territory, February 24, 1906.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the applications for enrollment of Mamie Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers

Acting Commissioner.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

10127

LAST NOTICE.

SECOND NOTICE

Do not remail in this envelope.

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UNCLAIMED

REGISTRATION DIVISION
MAY 9 1905
MUSKOGEE, IND. T.

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

Derla James,

Fort Smith, Arkansas

10.O.B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-114.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, May 6, 1905.

Della James,

Fort Smith, Arkansas.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of yourself and children, Jesse James and Claudie James, as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Registered.

Enc-17-D-110.

REFER IN REPLY TO THE FOLLOWING

17-D-114

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

MAR 31 1906

Muskogee, Indian Territory, February 24, 1906.

Della James,

Fort Smith, Arkansas.

Dear Madam:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes dated May 6, 1905, denying the application for the enrollment of yourself and children, Jesse James and Claudie James, as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers

Acting Commissioner.

Della James et al

REFUSED

DECISION RENDERED MAY - 6 1905

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. MAY - 6 1905

COPY OF DECISION FORWARDED ATTORNEY FOR APPLICANT. MAY - 6 1905

COPY OF DECISION FORWARDED APPLICANT

MAY - 6 190.

RECORD FORWARDED DEPARTMENT.

MAY - 6 1905

ACTION APPROVED BY SECRETARY OF INTERIOR

FEB 14 1906

NOTICE OF DEPARTMENTAL MOTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS.

FEB 2[illegible] 1906

NO[illegible] FORW[illegible]

FEB 24 1906

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANTS

FEB 24 1906

Choc FR D-115 Alice Benton

Refused

FR D 115

17-D-110 17-D-113
17-D-111 17-D-114
17-D-115

Muskogee, Indian Territory, December 10, 1903.

W. A. Welch,

Attorney-at-Law,

Talihina, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 7, asking if Amanda Jackson, Lewis and Amzine Garnut, Alice Benton and Della Adkins have been approved as Choctaw freedmen.

In reply to your letter you are informed that it appears from our records that Manda Jackson, Amzine Conard and her children, Lewis Conard, Della James and her children and Alice Benton and her children, are applicants to this Commission for enrollment as Choctaw freedmen, but their final right to such enrollment has not yet been determined.

It does not appear from our records that any person by the name of Della Adkins is an applicant to the Commission for enrollment as a Choctaw freedman, and it is believed that the Della James above named is the Della Adkins referred to in your letter.

Respectfully,

Chairman.

17-D-110 17-D-114
17-D-111 17-D-115

Muskogee, Indian Territory, August 18, 1904.

Wanda Jackson,

Talihina, Indian Territory,

Dear Madam:

The Commission will hold a session at the Choctaw Land Office, at Atoka, Indian Territory, on September 6-7, 1904, and at the Chickasaw Land Office, at Tishomingo, Indian Territory, on September 8-9, 1904.

You may if you so desire, appear at one of the above named appointments, for the purpose of giving testimony relative to the rights of yourself, your children and your grandchildren as freedmen of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T. April 2, 1902.

In the matter of the application for enrollment as a Choctaw freedman, of Alice Benton and her two minor children, Albert Benton and Velma Benton.

S. W. Isaac, Attorney for Applicant.

Alice Benton, being first duly sworn testified as follows:

Examination by the Commission.

Q. What is your name ? A. Alice Benton.
Q. What is your age ? A Thirty one years old.
Q. What is your post office address ? A. Fort Smith.
Q. Fort Smith, Arkansas ? A. Yes, sir.
Q. Where abouts do you live ? A. I live there near Ft. Smith, in the Choctaw Nation in what we call Poteau County.
Q. How long have you lived in the Choctaw Nation ? A. I have been living there now about two years.
Q. What is the name of your father ? A. Joe Colbert.
Q. Is he living ? A. No, sir, he is dead.
Q. Was he a Choctaw freedman ? A. Yes, sir, that is what they told me.
Q. That is what they told you ? A. Yes, sir.
Q. To whom did he belong ? A. I do not know, yes, sir, but they say he was a Choctaw.
Q. Did he belong to any Choctaw Indian ? A. I do not know, they say he was a Choctaw.
Q. What is the name of your mother ? A. Amanda Colbert.
Q. Is she living ? A. Yes, sir.
Q. Is she a Choctaw freedman ? A. Yes, sir.
Q. Has she ever been enrolled as such ? A. Yes, sir, she was enrolled this year.
Q. You mean that she made application to be enrolled ?
A. Yes, sir, I reckon so, she come to Muskogee, and said that she got on the roll.

Q. Was your mother the slave of any Choctaw Indian ?
A. Yes, sir.
Q. To what Choctaw Indian did she belong ? A. The Colbert's.
Q. What is their full names ? A. Her mother and father's names was Alexander Colbert and Littie Colbert.
Q. Were you born in the Choctaw Nation. ? A. Yes, sir.
Q. In what county was you born ? A. I do not know.
Q. How long have you lived in the Choctaw Nation ? A. In the Choctaw Nation ?
Q. Yes, how long have you lived in the Choctaw Nation ?
A. Two years and better now and then I did live there for six years.
Q. You have resided continuously in the Choctaw Nation for the past two years ? A. Yes, sir.

Examination by S. W. Isaac.

Q. Do you know the name of the Indian who owned your mother
A. Yes, sir.
Q. What was his name ? A. Joe Colbert.
Q. Where were you born ? A. Near Red River -- some where close to South McAlester.
Q. In the Choctaw Nation ? A. Yes, sir.
Q. How long did you live in the Choctaw Nation before you moved away. ? A. I could not tell you; I was quite small then as well as I can remember -- about ten or eleven years old.
Q. Where do -- where did you go to from there ? A. Went to Mississippi and lived there a while and then come back to Arkansas.
Q. Then how long did you live in Arkansas ? A. About three or four years and then I went back to the Choctaw Nation.
Q. And you have resided there ever since ? A. Yes, sir.
Q. What is your mother's name you say ? A. Amanda Colbert.
Q. And she belonged to Joe Colbert ? A. Yes, sir.
Q. Have you any children ? A. Yes, sir, two children.

Examination by the Commission.

Q. Do you desire to include them in this application for enrollment ? A. Yes, sir.
Q. What is the name and age of the eldest child ? A. Albert Benton.
Q. What is his age ? A. Twelve years old.
Q. What is the name and age of the other ? A. Velma Benton, eight years old.
Q. Are you married ? A. Yes, sir.
Q. What is the name of your husband ? A. William Benton.
Q. Is he -- does he belong to any Nation in the Indian Territory ? A. Yes, sir, he is a Creek.
Q. Has he ever made application for enrollment in the Creek Nation ? A. No, sir.

Q. Has he ever made application for enrollment as a citizen of any Nation ? A. No, sir, not as far as I know.

Q. Where were this children born ? A. Born in the Choctaw Nation.

Q. Are they living with you now ? A. Yes, sir.

Examination by S. W. Isaac.

Q. Where were you married ? A. Married in -- well I have been married two times.
Q. You have been married two times ? A. Yes, sir, I have been married to my last husband two years last Christmas.
Q. You married the last one two years ago Xmas ? A. Yes, sir, and counting the first husband I have been married 16 years.
Q. Where did you marry the last time ? A. In Fort Smith -- I was living in the Nation but went to Fort Smith to Marry
Q. Are these two children that you make application for by your first husband ? A. Yes, sir.
Q. Qhat was the name of your first husband ? A. Bob Shepord
Q. Was he a citizen of any tribe of Indians ? A. No, sir.

Examination by the Commission.

Q. The children for whom you make application -- Albert and Helma are the children of your first husband, whose name was Bob Shepord ? A. Yes, sir, his name is -- was Shepord.
Q. Then the namesof these children is Shepord and not Benton are they not ? A. Yes, sir.

Witness excused:

George Vann, a witness, being duly sworn testified as follows:

Examination by the Commission.

Q. How old are you ? A. I was eighty-seven years old the twenty-seventh day of last December.
Q. What is your post office address ? A. Benge, Cherokee Nation.
Q. Are you a Cherokee freedman ? A. Yes, sir, so said to be.

Q. Are you listed for enrollment as such ? A. Yes, sir.
Q. Do you know Alice Benton ? A. Yes/ sir.
Q. How long have you know her ? A. About fifteen or twenty years.
Q. Do you know her mother ? A. Yes, sir.
Q. Is her mother a Choctaw fredman ? A. Yes, sir, Choctaw freedman.
Q. What was the name of the mother ? A. Her dady is Joe Colbert.
Q. Did her mother belong to Choctaw Indians, as a slave ? A No, sir, always said to be a free negro.
Q. Then how could you call her a Choctaw fredman ? A. Well she was always said to be free.
Q. Do you know the name ---- do you know where she was born?
A. No, sir.
Q. Where did she live when you first knew her ? A. Lived in the Choctaw Nation.
Q. What part of the Nation ? A. Poteau.
Q. She was living in the Choctaw Nation when you first knew her ? A. Yes, sir.
Q. And if she ever belonged to Choctaw Indians you do not know any thing about it ? A. No, sir, she was born since the war.
Q. I mean Alice Benton's mother ? A. If she ever belonged to Choctaw Indians I do not know any thing about it -- she was always said to be a free negro.
Q. Then you do not know it ? A. No, sir, I do not?

Examination by the Commission.

Q. When did you first becomeacquainted with Amanda Colbert ? the mother of Alice Benton ? A. I could not tell you the number of years.
Q. Did you know her prior to the war ? A. Yes, sir , before the war.
Q. Was she at that time a slave of Choctaw Indians ?
A. No, sir, she was a free negro.
Q. Who was her husband ? A. Joe Colbert.
Q. Were you acquainted with him ? A. I have seen him.
Q. Was he a Choctaw Indian or a negro ? A. Mixed -- said to be free.
Q. He was not the slave of Choctaw Indians ? A. He was said to be free -- he bought his time so I have heard - said to be free I do not know.

Witness excused.

Fred V. Kinkade, being duly sworn, on his oath states; that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all the proceedings had in the above entitled cause on April 2, 1902; that the above and foregoingis a full, true and correct transcript of his stenographic notes in said cause on said date in April, 1902.

Fred V. Kinkade

Subscribed and swern to before me this 8th day of April, 1902

Wm. Redwood
Notary Public.

A. R. T.

17-D-110.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES. COPY.

In the matter of the application for the enrollment of Manda Jackson, et al., as Choctaw Freedmen, consolidating the applications of:

Manda Jackson	17-D-110.
Aurzine Conard	17-D-111.
Della James, et al.,	17-D-114.
Alice Benton, et al.,	17-D-115.

--: D E C I S I O N :--

It appears from the record herein that on March 26, 1902, application was made to this Commission for the enrollment of Manda Jackson and Aurzine Conard as Choctaw Freedmen, and on April 2, 1902, application was made to this Commission for the enrollment of Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton, as Choctaw Freedmen.

It further appears from the record herein that the applicant, Aurzine Conard, is a daughter of the said Manda Jackson; that the applicant Della James is a daughter of the said Manda Jackson and is the mother of the applicants Jesse and Claudie James; that the applicant, Alice Benton, is a daughter of the said Manda Jackson and is the mother of the applicants Albert and Velma Benton; that the said Aurzine Conard, Della James and her children, and Alice Benton and her children, claim the right to enrollment as Choctaw Freedmen, through the said Manda Jackson.

It further appears from the record herein that the said Manda Jackson claims that her father, Alexander Colbert, was a full blood Choctaw Indian, her mother being a negro, but she states that she does not claim any rights as a Choctaw by blood.

It does not appear from the records in the possession of the Commission that the said Alexander Colbert, Manda Jackson, or any of the other applicants herein have ever been enrolled by the tribal authorities of the Choctaw Nation, or admitted to citizenship in the Choctaw Nation by the legally constituted authorities of said nation, or by the Commission to the Five Civilized tribes, or by the United States Court in Indian Territory, in accordance with the provisions of the Act of Congress approved June 10, 1896, (29 Stat., 321).

It further appears from the record herein that the said Manda Jackson was born in the Choctaw Nation, about the year 1842, and has resided therein continuously since the date of her birth up to and including September 25, 1902, and the other applicants above mentioned are the children and grandchildren of the said Manda Jackson and claim the right to enrollment as Choctaw Freedmen by reason of being her descendants.

It further appears from the record herein that the said Manda Jackson was not at any time the slave of a recognized Choctaw Indian.

It is, therefore, the opinion of this Commission that Manda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton are not entitled to be enrolled as citizens by blood of the Choctaw Nation.

It is further the opinion of this Commission that Manda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton are not entitled to be enrolled as Choctaw Freedmen, and that the application for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898, (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SIGNED Tams Bixby

Chairman.

SIGNED T. B. Needles.

Commissioner.

SIGNED C. R. Breckinridge.

Commissioner.

Muskogee, Indian Territory,

MAY - 6 1909

COPY. 17-D-115.

Muskogee, Indian Territory, May 6, 1905.

Alice Benton,

Fort Smith, Arkansas.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of yourself and your children, Albert Benton and Velma Benton, as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED: T. B. Needles.

Registered. Commissioner in Charge.

Enc-17-D-110.

COPY.

17-D-114
17-D-115

Muskogee, Indian Territory, May 6, 1905.

S. W. Isaac,

Attorney at Law,

Muskogee, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the applications for the enrollment of Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles,

Commissioner in Charge.

Registered.
Incl. 17-D-110.

17-D-
110 111
114 115

COPY.

Muskogee, Indian Territory, May 6, 1905.

John J. Thomas,
Attorney at Law,
Talihina, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the applications for the enrollment of Manda Jackson, Aursina Conard, Tella James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizen by blood of the Choctaw Nation.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles

Commissioner in Charge.

Registered.

Incl. 17-D-110.

17-D-
110 114
111 115

COPY

Muskogee, Indian Territory, May 6, 1905.

W. A. Welch,
Attorney at Law,
Talihina, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the applications for the enrollment of Manda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,
SIGNED
T. B. Needles,
Commissioner in Charge.

Registered.
Incl. 17-D-110.

COPY. 110 17-D- 114
111 115

Muskogee, Indian Territory, May 6, 1905.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered May 6, 190 , denying the applications for enrollment of Wanda Jackson, Aurzine Conard, Della James, Josie James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED T. B. Needles

Incl. 17-D-110.

Commissioner in Charge.

Muskogee, Indian Territory, May 6, 1905.

COPY.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the applications for the enrollment of Manda Jackson, Auzaine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation, including the decision of the Commission, dated May 6, 1905, denying said applications.

Respectfully,

SIGNED T. B. Needles.

Commissioner in Charge.

Through the
Commissioner of Indian Affairs.

2 Incl. 17-D-110.

17-D-115

Muskogee, Indian Territory, February 24, 1906.

Alice Benton,

Fort Smith, Arkansas.

Dear Madam:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the application for the enrollment of yourself and your children, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers

Acting Commissioner.

17-D-114
17-D-115

Muskogee, Indian Territory, February 24, 1906.

S. W. Isaac,

Attorney at Law,

Muskogee, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the applications for the enrollment of Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Acting Commissioner.

17-D-
110 114
111 115

Muskogee, Indian Territory, February 24, 1906.

W. A. Welch,

Attorney at Law,

Talihina, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 5, 1905, denying the applications for the enrollment of Manda Jackson, Aursine Genard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton, as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. S. Rodgers

Acting Commissioner.

17-D-

110 114
111 115

Muskogee, Indian Territory, February 24, 1906.

John J. Thomas,

Attorney at Law,

Talihina, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the applications for the enrollment of Wanda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers

Acting Commissioner.

17-B- 110, 111,
114-115.

Muskogee, Indian Territory, February 24, 1906.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of February 14, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 6, 1905, denying the applications for enrollment of Kanda Jackson, Aurzine Conard, Della James, Jesse James, Claudie James, Alice Benton, Albert Benton and Velma Benton as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers
Acting Commissioner.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

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1-5-45

UNCLAIMED

LAST NOTICE.

SECOND NOTICE

REGISTRY DIVISION
MAY 2 1905
MUSKOGEE, I.T.

Alice Berryon,
Fort Smith, Arkansas,

RETURNED TO WRITER
UNCLAIMED
from
FORT SMITH, ARK.
P. O.

RETURNED TO WRITER
UNCLAIMED
from
FORT SMITH, ARK.
P. O.

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

W.O.B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-115.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, May 6, 1905.

Alice Benton,

Fort Smith, Arkansas.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of yourself and your children, Albert Benton and Velma Benton, as Choctaw freedmen, and also as citizens by blood of the Choctaw Nation.

The decision, with the record of the proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Registered.

Enc-17-D-110.

Alice Benton et al

REFUSED

DECISION RENDERED. MAY - 6 1905

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. MAY - 6 1905

COPY OF DECISION FORWARDED ATTORNEY FOR APPLICANT. MAY - 6 1905

COPY OF DECISION FORWARDED APPLICANT MAY - 6 1905

RECORD FORWARDED DEPARTMENT. MAY - 6 1905

ACTION APPROVED BY SECRETARY OF INTERIOR. FEB 14 1906

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS FEB 24 1906

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEY TO APPLICANT FEB 24 1906

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT. FEB 24 1906

EMPTY

EMPTY

Choc FR D-118 Sarah Bailiff

Refused

FR D-118

In re application of Sarah Bailif, to the Commission to the Five Civilized Tribes at Talihina, I. T., June 1st, 1899, for enrollment as a Choctaw Freedman. Being duly sworn by Commissioner Needles, and examined by him, et al, she testified as follows:-

Q. What is your name? A. Sarah Bailif.

Q. How old are you? A. I don't know my age.

Q. Where do you live? A. About three miles from here.

Q. Were you born a slave? A. Yes sir.

~~Q. Who was your master? A. John Loving.~~

Q. Where did he live? A . Here in Sugarloaf County.

Q. Was he a Choctaw or Chickasaw.

Q. Were you born there at his place? A. I don't know nothing only I was there.

Q. Where have you lived since you were turned loose. A. Right here in the Nation.

Q. Never been out anywhere? A. No sir, I have never been out of the Nation.

Q. Have you been recognized as a Citizen? A. yes sir.

Q. Are you married? A. Yes sir

Q. Is your husband a citizen or a state man? A. State man.

Q. How long have you been married? A. I couldn't tell, its been a good while.

Q. Were you ever married but once? A. No sir.

Q. Have you got any children? A. Yes sir several.

Q. Were you ever registered anywhere? A. I don't know.

Q. Your husband is a white man isn't he? A. Yes sir.

Judge Duke: Where did you come from here? A. Right from Sugarloaf County.

Q. You never lived in Arkansas? A. No sir, never in my life.

(Requested to meet commission at Wister, where her witnesses live)

Wister, I. T., June 5th, 1899.

Statement of Robert Benton, in re application of Sarah Bailif to Commission at Talihina.

Robert Benton being duly sworn testified as follows:-

Q. What is your name? A. Robert Benton.

Q. How old are you? A. 57

Q. Do you know a colored woman by the name of Sarah Bailif. A. No sir.

Q. Do you know whether John Loving owned any slaves? A. This man John Loving has grown up right with me, and I have known him all his life, and he never owned any slaves during the time I knew him.

Q. Did you know him up tho the time he died? A. yes sir. I remember that after the war, not long after the war, some one brought a freedman girl to John Loving and left her there. What her name was or who she was I do not know.

Q. Do you know whether she came from the states or not? A. She must have come cfrom the states, as there were no slaves in this neighborhood.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M Smiley

17-D-118.

Muskogee, Indian Territory, August 19, 1904.

Sarah Bailiff,

Talihina, Indian Territory.

Dear Madam:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your right to enrollment as a freedman of the Choctaw Nation, or you may appear for this purpose before the Commission at its general office, Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

17-D-118.

Muskogee, Indian Territory, April 6, 1905.

Sarah Bailiss,

Talihina, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a Choctaw Freedman, you were advised by letter dated August 19, 1904, that before disposition could be made of your ap plication, it would be necessary for you to appear in person before the Commission together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to enrollment as a Choctaw Freedman.

You are again advised that before disposition can be made of said application, it will be necessary for you to appear before the Commission at Muskogee, Indian Territory, together with such witnesses as you may be able to procure who can testify relative to your right to enrollment as a Choctaw Freedman.

Such appearance should be made at the earliest date possible, in order that disposition may be made of said application.

Respectfully,

Commissioner in Charge.

17-D-118.

Muskogee, Indian Territory, November 28, 1905.

Sarah Bailiss,

Talihina, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a Choctaw Freedman, you were advised by letters dated August 19, 1904 and April 6, 1905 that before disposition could be made of your application it would be necessary for you to appear in person before this office, together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to enrollment as a Choctaw Freedman.

You are again advised that before disposition can be made of said application, it will be necessary for you to appear before this office at Muskogee, Indian Territory, together with such witnesses as you may be able to procure who can testify relative to your right to enrollment as a Choctaw Freedman.

Such appearance should be made at the earliest date possible, in order that disposition may be made of said application.

Respectfully,

Acting Commissioner.

17-D-118.

Muskogee, Indian Territory, December 11, 1905.

W. A. Welch,

Attorney at Law,

Talihina, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 6, 1905, in which you state that Sarah Bailiff is physically unable to appear at this office in the matter of her application for enrollment as a Choctaw freedman and if affidavits may be submitted in support of this case you will undertake to procure the same.

In reply to your letter you are advised that if you will forward the affidavits of reputable Chickasaw citizens relative to the ownership of Sarah Bailiff at the close of the war and her residence in the Choctaw-Chickasaw country up to and including September 25, 1902, the same will receive consideration although it is desirable that witnesses appear in person for examination under oath in matters of enrollment.

Respectfully,

Acting Commissioner.

17-D-118.

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

-:0:-

In the matter of the application for the enrollment of Sarah Bailiff as a Choctaw freedman.

-: D E C I S I O N : -

It appears from the record herein that on June 1, 1899, at Talihina, Indian Territory, Sarah Bailiff appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of herself as a Choctaw freedman. Further proceedings were had in the matter of this application at Wister, Indian Territory on June 5, 1899.

Although ample opportunity has been afforded the applicant to show by satisfactory evidence that she was at the date of the Treaty of Fort Smith, a resident of the Choctaw-Chickasaw country, and had prior thereto been held in slavery by a Choctaw citizen, she has failed to do so.

I am, therefore, of the opinion that following the ruling of the Department in the cases of Eliza Bryant, et al, (I.T.D. 544-1904), Ed Williams, (I.T.D. 4230-1904), William Rector, (I.T.D. 1468-1904), Minnie Duncan, (I.T.D. 1470-1904), Samantha Chambers, (I.T.D. 2296-1904), Martha Albert, (I.T.D. 4732-1904), Moses Moss (I.T.D. 6056-1904) and Frankie Grimmett (I.T.D. 7902-1905), that Sarah Bailiff is not entitled to enrollment as a Choctaw freedman and that her application for enrollment as such should be denied under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

Commissioner.

Muskogee, Indian Territory.
JAN 18 1907

COPY

17-D-118.

Muskogee, Indian Territory, January 18, 1907.

Mansfield, McMurray & Cornish.

Attorneys-at-law.

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 18, 1907, denying the application for the enrollment of Sarah Bailiff as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Incl. 17-D-118.

COPY

17-D-118.

Muskogee, Indian Territory, January 18, 1907.

Sarah Bailiff,

Talihina, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 18, 1907, denying the application for the enrollment of Sarah Bailiff as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Incl. 17-D-118.

COPY

17-D-118.

Muskogee, Indian Territory, January 18, 1907.

W. A. Welch,

Attorney at law,

Talihina, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy ofthe decision of the Commissioner to the Five Civilized Tribes, rendered January 18, 1907, denying the application for the enrollment of Sarah Bailiff as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Register

Incl, 17-D-118.

COPY

Muskogee, Indian Territory, January 18, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Sarah Bailiff as a Choctaw freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated January 18, 1907, denying said application.

Respectfully,

SIGNED Tams Bixby

Commissioner.

2 Incl. 17-B-118.

Through the
Commissioner of Indian Affairs.

D.T.C. 12433.

J.P.
O.K.

DEPARTMENT OF THE INTERIOR,

I. T. D. WASHINGTON,
4902, 4966, 5000, 5010-1907,
5018, 5022, 5102, 5138-1907,
5140, 5142, 5150-1907. February 28, 1907.
LBS. 5174

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are inclosed:

Title of Case.	Date of Your Letter of Transmittal.
Agnes May Mills,	November 27, 1906.
Sarah Bailiff (Freedman),	January 18, 1907.
Vere Wotten (Freedman),	January 26, 1907.
Floyed Goodson,	January 17, 1907.
Omer E. and Cecil E. Marr,	January 9, 1907.
Charles Walter Morrow,	January 9, 1907.
Maud and Elzy Turner, (Miss. Choc.),	January 21, 1907.
Willie Colbert et al.,	January 30, 1907.
Johny Vails,	February 5, 1907.
Maggie Francis Carroll,	January 16, 1907.
Minnie Lee Morgan,	February 7, 1907.
Robert Nelson, (Johnson?)	January 26, 1907.

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,
Assistant Secretary.

12 ins. and 24 ins.
for Ind. Of.
AFHS
3-107.

D. C. 12453

Land.
6924-1907.

DEPARTMENT OF THE INTERIOR, COPY.

OFFICE OF INDIAN AFFAIRS,

WASHINGTON. February 23, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from the Commissioner to the Five Civilized Tribes, dated January 18, 1907, transmitting the record relative to the application made on June 1, 1899 for the enrollment of Sarah Bailiff as a Choctaw freedman. On January 18, 1907, the Commissioner held that the applicant was not entitled to enrollment.

The record shows that although ample opportunity has been afforded the applicant to show by satisfactory evidence that she was at the date of the Treaty of Fort Smith, a resident of the Choctaw-Chickasaw country, and had prior thereto been held in slavery by a Choctaw citizen, she has failed to do so.

Under the provisions of the aAct of June 28, 1898 (30 Stat. L., 495), the applicant is not entitled to enrollment.

It is therefore recommended that the decision of the Commissioner adverse to the applicant be approved.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

J.P.B.-NL

17-D-118.

Muskogee, Indian Territory, April 10, 1907.

Sarah Bailiff,

Talihina, Indian Territory.

Dear Madam:

You are hereby advised that on February 28, 1907, the Secretary of the Interior affirmed the decision of this office of January 18, 1907, denying the application for the enrollment of Sarah Bailiff as a Choctaw freedman.

Respectfully,

Geo. D. Rodgers.

Acting Commissioner.

17-D-118.

Muskogee, Indian Territory, April 10, 1907.

W. A. Welch,

Attorney at law,

Talihina, Indian Territory.

Dear Sir:

You are hereby advised that on February 28, 1907, the Secretary of the Interior affirmed the decision of this office of January 18, 1907, denying the application for the enrollment of Sarah Bailiff as a Choctaw freedman.

Respectfully,

Geo. D. Reid,

Acting Commissioner.

17-D-118.

Muskogee, Indian Territory, April 10,1907.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on February 28, 1907, the Secretary of the Interior affirmed the decision of this office of January 18, 1907, denying the application for the enrollment of Sarah Bailiff as a Choctaw freedman.

Respectfully,

Acting Commissioner.

-Copy-

REFER IN REPLY TO THE FOLLOWING:

Land.
6924-1907

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON. February 23, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from the Commissioner to the Five Civilized Tribes, dated January 18, 1907, transmitting the record relative to the application made on June 1, 1899 for the enrollment of Sarah Bailiff as a Choctaw freedman. On January 18, 1907, the Commissioner held that the applicant was not entitled to enrollment.

The record shows that although ample opportunity has been afforded the applicant to show by satisfactory evidence that she was at the date of the Treaty of Fort Smith, a resident of the Choctaw-Chickasaw country, and had prior thereto been held in slavery by a Choctaw citizen, she has failed to do so.

Under the provisions of the Act of June 28, 1898 (30 Stat. L., 495), the applicant is not entitled to enrollment.

It is therefore recommended that the decision of the Commissioner adverse to the applicant be approved.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

J.P.B. - NL

Sarah Bailiff

REFUSED.

JAN 18 1907

COPY OF DECISION FORWARDED
APPLICANT

JAN 18 1907

COPY OF DECISION FORWARDED
ATTORNEY FOR APPLICANT.

JAN 1 - 1907

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS.

JAN 18 1907

RECORD FORWARDED DEPARTMENT.

JAN 18 1907

ACTION APPROVED BY
SECRETARY OF INTERIOR.

FEB 2 1907

NOTICE OF [illegible] ACTION
FORWARD [illegible] CHOCTAW
AND CHICKA[illegible]

APR 10 1907

NOTICE O[illegible]
FORWARDE[illegible] ANTS

APR 10 1907

NOTICE [illegible] AL
ACTION W[illegible] ANT.

[illegible] 1907

EMPTY

Choc FR D-120 mary Brown

Refused

FR D-120

17-D-120

Coalgate, Indian Territory, October 29, 1904.

Dear Sir:

Your requested was what is my mother and fathers name. It is Lottie Brown, brothers Silas Brown and Mat Brown Conealier Arreaner Hunter. Weare all Choctaw freedmans. I was registered three years ago at Atoka. My age was at that time 25 years.

Yours respectfully,

Marry Brown.

17-D-180

Muskogee, Indian Territory, November 2, 1904.

Mary Brown,

Coalgate, Indian Territory.

Dear Madam:-

Receipt is hereby acknowledged of your letter of October 29, 1904, in which you give the names of your father and mother.

This information has been made a matter of record.

Respectfully,

Chairman.

DEPARTMENT OF THE INTERIOR,

WASHINGTON. LLB G.R.

D.C. 46565-1905.
I.T.D. 5056-1905.

October 5, 1905.

LRS

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory,

Sir:

April 21, 1905, the Commission to the Five Civilized Tribes transmitted the record of the application of Mary Brown for her enrollment as a Choctaw freedman, including the decision of the Commission, dated April 21, 1905, denying said application.

May 4, 1905, the Acting Commissioner of Indian Affairs reporting thereon, recommended that the decision of the Commission dated April 21, 1905, denying said application be affirmed. A copy of his letter is inclosed.

The Department concurs in the recommendation made and the decision of the Commission to the Five Civilized Tribes dated April 21, 1905, denying the application of Mary Brown for her enrollment as a Choctaw freedman is hereby affirmed.

Respectfully,

THOS. RYAN,
Acting Secretary.

1 inclosure.

DEPARTMENT OF THE INTERIOR,

Land.
31382-1905.

OFFICE OF INDIAN AFFAIRS,
WASHINGTON. May 4, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated April 21, 1905, transmitting the record of the application for enrollment as a Choctaw Freedman by Mary Brown.

April 21, 1905, the Commission decided adversely to the applicant.

The record shows that the applicant was never the slave of a Choctaw Indian.

In view of the record the approval of the Commission's decision adverse to the applicant is recommended.

Very respectfully,

C. F. Larrabee,
Acting Commissioner.

M.M.M.
W.

Spiro I. T., June 16th, 1899.

In re application of Mary Brown, for enrollment.

Simon Peter being duly sworn testified as follows:

Q. What is your name? A. Simon Peter

Q. How old are you? A. About 45

Q. Where do you live? A. I live in The Choctaw Nation.

Q. Are you a citizen? A. No sir.

Q. Do you know Mary Brown? A. Yes sir.

Q. Do you know her husband? A. Yes sir.

Q. What is his name? A. Richard Brown.

Q. Do you know whether they were married or not? A. Yes sir.

Q. How do you know it? A. I saw them married, it was in 1873, in Conway County Arkansas.

Q. Was he a citizen? A. Yes sir, he told me he was.

Q. She lived over there did she? A. Yes sir.

Q. Did you go over there with him? A. No sir, I lived over there.

Q. Who married them? A. Harry Brooks.

Q. Was he a preacher? A. Yes sir.

Q. Did they live together as man and wife? A. yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

W A Smiley

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
WISTER, I.T. Dec.16, 1902.

17-2130

In the matter of the application of Mary Brown for enrollment as a Choctaw Freedman.

Mary Brown being sworn testified as follows:

Examination by the Commission:

Q What is your name? A Mary Brown.
Q How old are you? A I will speak be fifty nine years old.
Q What is your post office address? A Spiro.
Q How long have you been a resident of the Choctaw Nation? A About 14 years.
Q Where did you live before that? A Morrilton Ark.
Q How long did you live in the State of Arkansas? A I reckon it was about 30 some years ago.
Q Did you live there all your life till you came to the Choctaw Nation? A Yes sir.
Q Were you a slave? A No more than I grew up with orphan girls; I wasn't slave nor free.
Q Who were these orphan girls? A Frances and Maria Davis; white girls.
Q They were not Indians? A No sir, I never heard.
Q Where did they live? A In Morrilton.
Q At the close of the war when the slaves were freed you were in Arkansas? A Yes sir.
Q Never lived in the Nation up to about 14 years ago? A No sir.
Q What is the name of your husband? A Dick Brown.
Q When were you married to him? A I don't know the number; I don't remember; I was married last Fall month I don't remember the time.
Q How many years after the freeing of the slaves? A I don't know; I can't tell.
Q Can't you give some idea of what year it was? A It was in '82, wasn't it?--'72, that's it.
Q Who married you? A Harris Brooks the minister.
Q Where was this marriage ceremony performed? A In Morrilton.
Q Did you and your husband live over there after that? AYes sir.
Q How long did you live together as husband and wife? ATill he died; he died when the Choctaw Commission was moving to Spiro.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on December 16, 1902, and

"Henry Brown-

that the above and foregoing is a full, true and correct transcript of his stenographic notes in same.

Henry G. Davis

Subscribed and sworn to before me this 6 day of January, 1903.

Charles H. Sawyer

Notary Public.

Max

27-D-150.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mary Brown as a Choctaw freedman.

DECISION:

It appears from the record herein that on June 16, 1899, at Spiro, Indian Territory, application was made to this Commission for the enrollment of Mary Brown as a Choctaw freedman. Further proceedings were had in the matter of said application at Wister, Indian Territory, December 16, 1902.

It further appears from the record herein that the applicant was never the slave of a Choctaw Indian.

It is, therefore, the opinion of this Commission that Mary Brown is not entitled to be enrolled as a Choctaw freedman, and that the application for her enrollment should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

APR 21 1905

17-D-120

COPY

Muskogee, Indian Territory, April 21, 1905.

Mary Brown,

Coalgate, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 21, 1905, denying your application for enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 17-D-120

17-D-120

COPY.

Muskogee, Indian Territory, April 21, 1906.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission rendered April 21, 1906, denying the application for the enrollment of Mary Brown as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Incl. 17-D-120.

(4)

COPY.

Washington, Indian Territory, April 21, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Jerry Brown as a Choctaw freedman, including the decision of the Commission, dated April 21, 1905, denying said application.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Encl. 1V-D-250

Through the
Commissioner of Indian Affairs.

DEPARTMENT OF THE INTERIOR,

WASHINGTON. LLB G.R.

D.C. 45565-1905. October 5, 1905.
I.T.D. 5056-1905.

DBS

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

April 21, 1905, the Commission to the Five Civilized Tribes transmitted the record of the application of Mary Brown for her enrollment as a Choctaw freedman, including the decision of the Commission, dated April 21, 1905, denying said application.

May 4, 1905, the Acting Commissioner of Indian Affairs reporting thereon, recommended that the decision of the Commission dated April 21, 1905, denying said application be affirmed. A copy of his letter is enclosed.

The Department concurs in the recommendation made and the decision of the Commission to the Five Civilized Tribes dated April 21, 1905, denying the application of Mary Brown for her enrollment as a Choctaw freedman is hereby affirmed.

Respectfully,

THOS. RYAN,
Acting Secretary.

1 inclosure.

DEPARTMENT OF THE INTERIOR,

Land.
31382-1905.

OFFICE OF INDIAN AFFAIRS,
WASHINGTON. May 4, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated April 21, 1905, transmitting the record of the application for enrollment as a Choctaw Freedman by Mary Brown.

April 21, 1905, the Commission decided adversely to the applicant.

The record shows that the applicant was never the slave of a Choctaw Indian.

In view of the record the approval of the Commission's decision adverse to the applicant is recommended.

Very respectfully,

C. F. Larrabee,
Acting Commissioner.

M.M.M.
W.

17-D-180

Muskogee, Indian Territory, October 12, 1905.

Mary Brown,

Coalgate, Indian Territory,

Dear Madam:

You are hereby notified that the Secretary of the Interior under date of October 5, 1905, affirmed the decision of the Commission to the Five Civilized Tribes, dated April 21, 1905, denying your application for enrollment as a Choctaw freedman.

Respectfully,

Commissioner.

17-D-120

Muskogee, Indian Territory, October 12, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of October 5, 1905, affirmed the decision of the Commission to the Five Civilized Tribes dated April 21, 1905, denying the application for the enrollment of Mary Brown as a Choctaw freedman.

Respectfully,

Commissioner.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, $300.

17-D-120

1430

Mary Brown,

Coalgate, Indian Territory.

UNCLAIMED

Returned to Writer

W.O.B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR, 17-D-120
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 21, 1905.

Mary Brown,

Coalgate, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 21, 1905, denying your application for enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

Registered.

Incl. 17-D-120

Mary Brown

DECISION FORWARDED APR 21 1905

REFUSED APR 21 1905

COPY OF DECISION FORWARDED APPLICANT APR 21 1905

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. APR 21 1905

RECORD FORWARDED DEPARTMENT. APR 21 1905

ACTION APPROVED BY SECRETARY OF INTERIOR. OCT 5 1905

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. OCT 12 1905

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT. OCT 12 1905

Choc FR D-121 Charley SCOTT

FR D-121

Charley Scott, et al.

ACTION APPROVED BY
SECRETARY OF INTERIOR. FEB 26 1907

NOTICE OF [illegible] ACTION
FORWA[illegible] CHOCTAW
AND CHICKA[illegible] MAR 2[illegible] 1907

NOTICE OF DEPARTMENTAL
ACTION [illegible] APPLICANT. M[illegible] 1907

DECISION RENDERED

COPY [illegible]
ATTO[illegible]
CHO[illegible]

NOT[illegible]

RECORD[illegible] ENT.

In re application of Bertha Byrd to the commission to the Five Civilized Tribes, at Antlers, I. T., May 18th, 1899, for enrollment as a Choctaw Freedman. Being duly sworn by Commissioner Needles, and examined by him, et al, she testified as follows:-

Q. What is your name? A. Bertha Byrd.

Q. Who was your mother? A. I Can't recollect her name.

Q. Were you born a slave? A. yes sir, I guess so.

Q. Where have you always lived? A. Here in the Nation.

Q. Are you married? A. My husband is dead.

Q. Who was your father? A. Charley Scott.

Q. Who did he belong to? A. I don't know.

Charley Scott being duly sworn testified as follows:-

Q. What is your name? A. Charley Scott.

Q. Are you this girl's father? A. yes sir.

Q. Who was her mother? A Mary, she is dead.

Q. Was she a citizen? A. No sir.

Q. Were you married to Mary? A. Yes sir.

Q. Who was your mother? A. Vinie.

Q. Who did she belong to? A. Clay Harkins.

Q. What was he a Choctaw or Chickasaw? A. Choctaw.

Simon Thompson being duly sworn testified as follows:-

Q Do you know this girl Bertha Byrd? A. Yes sir.

Q. Do you know who her mother was? A. Yes sir.

Q. Do you know her father? A. Yes sir, Charley Scott.

Q. Do you know who he belonged to? A. No sir.

Q. Do you know anything about her mother? A. No sir, [illegible]

[illegible]

Bertha Byrd 48.

guess I was.

Q. Did you always go by the name of Scott? A. yes sir, I named myself that. My master's name was Harkins.

Q. How does it come you have never been registered? A. When I went to Goodland to register, Jim Spring was officer and he came up to me just before I went to register and asked me to pay him a permit, and me and him got to fussing there. Dick Roebuck was there, and Spring made me mad and I went off and never registered.

Q. Does Dick Roebuck know you? A. yes sir.

Q. He knows all about you does he? A. Yes sir.

Q. Was your mother alive when the war ended? A. I disremember whether she was or not, I was very small

Q. You will have to bring some body here that knows you or knows something about you. We can't register either you or your daughter here unless you can bring some proof as to your citizenship.

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

W A Smiley

T-B-121.

Muskogee, Indian Territory, August 19, 1904.

Bertha Byrd,

Antlers, Indian Territory.

Dear Madam:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory, September 6-7 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your right to enrollment as a Choctaw freedman, or you may appear for this purpose before the Commission at its general Office, Muskogee, Indian Territory at any time.

Respectfully,

Commissioner in Charge.

17-D-123.

Muskogee, Indian Territory, April 5, 1906.

Bertha Byrd,

Antlers, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a Choctaw Freedman, you were advised by letter dated August 19, 1904, that before disposition could be made of said application, it would be necessary for you to appear in person before the Commission together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to enrollment as a Choctaw Freedman.

You are again advised that before disposition can be made of said application, it will be necessary for you to appear before the Commission at Muskogee, Indian Territory, together with such witnesses as you may procure who can testify relative to your right to enrollment as a Choctaw Freedman.

Such appearance should be made at the earliest date possible, in order that disposition may be made of your application.

Respectfully,

Commissioner in charge.

17-D-121.

Muskogee, Indian Territory, November 25, 1905.

To the Postmaster,

Antlers, Indian Territory.

Dear Sir:

You are requested to advise this office, if possible, the present address of Bertha Byrd and her father, Charles Scott, both claiming to be Choctaw Freedmen.

An early reply will be appreciated.

Respectfully,

Acting Commissioner.

No reply 12/30/06

174-D-121.

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

-101-

In the matter of the application for the enrollment of Bertha Byrd and Charley Scott as Choctaw freedmen.

-D E C I S I O N :-

It appears from the record herein that on May 15, 1899, at Antlers, Indian Territory, application was made to the Commission to the Five Civilized Tribes for the enrollment of Bertha Byrd and her father, Charley Scott as freedmen of the Choctaw Nation.

Although ample opportunity has been afforded the applicants Bertha Byrd and Charley Scott, to show by satisfactory evidence that they were, at the date of the treaty of Fort Smith, residents of the Choctaw-Chickasaw country and had prior thereto been held in slavery in the said country by a Choctaw citizen, they have failed to do so.

I am, therefore, of the opinion that following the ruling of the Department in the cases of Eliza Bryant, et al., (I.T.D. 544-1904), Ed Williams, (I.T.D. 4230-1904), William Hester, (I.T.D. 1448-1904), Minnie Duncan, (I.T.D. 1470-1904), Samantha Chambers (I.T.D. 2296-1904), Martha Albert, (I.T.D. 4732-1904), Moses Ross (I.T.D. 6036-1904) and Frankie Grimmett (I.T.D. 7902-1905), that Bertha Byrd and Charley Scott are not entitled to enrollment as Choctaw freedmen and that their application for enrollment as such should be denied under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495) and it is so ordered.

Commissioner,

Muskogee, Indian Territory,

OCT 19 1906

Muskogee, Indian Territory, October 19, 1906.

Charley Scott,

Antlers, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 19, 1906, denying the application for the enrollment of yourself and Bertha Byrd as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
Incl. 19-Y-121

IV-[illegible]

Muskogee, Indian Territory, October 19, 1906.

Mrs. Ona Byrd,

Anadarko, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 19, 1906, denying the application for the enrollment of yourself and Charley Scott as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered
Rec'd. [illegible]

COPY.

17-B-121

McAlester, Indian Territory, October 19, 1906.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 18, 1906, denying the application for the enrollment of Charley Scott and Bertha Byrd as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby
Commissioner.

17-B-121

COPY.

Washington, Indian Territory, October 16, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Charley Scott and Martha Byrd as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated October 10, 1906, denying said application.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Through the Commissioner of Indian Affairs.

2 Inct. 1 Record.

J.R.

DEPARTMENT OF THE INTERIOR,

WASHINGTON. FHE.

D.C. 11791-1907.
I.T.D. 24134-1906.
2984,3172,3190,3194,3195-1907.
3212, 3316,4584,4586,4610- "
4630,4634,4638,4644,4672- "
4690-"

February 26,1907.

LRS

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are inclosed:

Title of case.	Date of your letter of transmittal.
[illegible]	June 21,1906.
Sabra Gertrude Douglas,	[illegible]
Willie R. McFarland, et al.,	November 15,1906.
Emma Yarbrough McBride,	November 12,1906.
Edna Pettigrew, et al.,	November 12,1906.
[illegible], et al.,	November 12,1906.
Marvin McClure,	November 12,1906.
Charley Tadl, et al.,	November 6,1906.
Arthur Jackson, et al.,	July 25,1906.
Theodore Roosevelt Plate,	December 20,1906.
Charley Scott and Martha Byrd (Freedmen)	October 19,1906.
Mattie Opal Bottoms,	January 16,1907.
Gracie and Jesse Davis,	January 29,1907.
R. L. Gruber, et al.,	January 17,1907.
Wesley (Wavly) Tyler, (Freedman)	January 26,1907.
David and Emma Gardner,	January 16,1907.
Maggie E. Thomas, et al.,	January 26,1907.

A copy hereof and all the papers in the above centitled cause have been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

17 inc. and
34 for Ind. Of.

-07

[illegible]

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

LAND
[illegible]-1906. WASHINGTON.

---

4 67 Y [illegible] February 20, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is completed the record of proceedings in the matter of the application for the enrollment of Charley Scott and Bertha Byrd as Choctaw freedmen, including decision of the Commissioner to the Five Civilized Tribes, dated October 19, 1906, adverse to the applicants.

The record shows that on May 15, 1899 application was made to the Commission to the Five Civilized Tribes for the enrollment of Bertha Byrd and her father, Charley Scott, as freedmen of the Choctaw Nation. Although ample opportunity has been [illegible]

they were at the date of the treaty of Fort Smith residents of the Choctaw and Chickasaw country, and had prior thereto been held in slavery by Choctaw citizens, they have failed to do so. Therefore, by reason of the provisions of the act of Congress approved June 28, 1898, (30 Stat. L., [illegible]), [illegible] in the decision of Commissioner Riggs denying the enrollment of these applicants as freedmen [illegible]

Very respectfully,

17-D-[illegible]

[illegible], Indian Territory, [illegible]

Charles [illegible],

Antlers, Indian Territory.

Dear [illegible]:

You are hereby advised that on February 26, 1907, the Secretary of the Interior affirmed the decision of this office of October 19, 1906, denying the application for the enrollment of yourself and Bertha [illegible] as Choctaw freedmen.

Respectfully,

[illegible]

Commissioner.

17-D-121

Muskogee, Indian Territory, March [illegible]

Bertha Byrd,

Antlers, Indian Territory.

Dear madam:

You are hereby advised that on February 26, 1907, the Secretary of the Interior affirmed the decision of this office of October 19, 1906, denying the application for the enrollment of yourself and Charley Scott as Choctaw freedmen.

Respectfully,

Commissioner.

[illegible]

Muskogee, Indian Territory, March 14, 1907.

Mansfield, Murray & Gardner,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on February 26, 1907, the Secretary of the Interior affirmed the decision of this office of October 19, 1906, denying the application for the enrollment of Charley Scott and Bertha Byrd as Choctaw freedmen.

Respectfully,

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

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Bertha Byrd,

Antlers, Indian Territory.

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

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REC'D.

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17-D-121

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, October 19, 1906.

Bertha Byrd,

Antlers, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 19, 1906, denying the application for the enrollment of yourself and Charley Scott as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered
Incl. 17-D-121.

Chac FR D-122 Emma Carter

FR D-122

Fort Smith Ark., September, 10, 1904.

Commission to the Five Civilized Tribes,

Muskogee, I.T.

Gentlemen:-

A negro woman named Emma A Carter who lives in the Choctaw Nation near Fort Smith, Arkansas, says that in 1888, she and three children she then had, to-wit: Ella, Lizze and General Johnston, were by the Choctaw Authorities; at Shawneetown, I. T. enrolled as Choctaw freedmen, by the name of Whitfield her name then Emma Alexander Whitfield,. That some years ago she went before the Dawes Commission at Spiro, I.T. to be registered together with her children, but she does not seem to know whether she was registered or not.

In addition to the above named children she now has, Eula Williams, Bud, Henry and Bertha Carter.

Will you please advise me or her of herand her children's status on your rolls.

She is wholly illiterate and densely ignorant.

Her P. O. is Fort Smith, Ark.

Very respcetfully,

(Signed) Thomas Boles.

17-D-129

Muskogee, Indian Territory, September 16, 1904.

Thomas Boles,

Attorney at Law,

Fort Smith, Arkansas.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 10th instant stating that a negro woman by the name of Emma A. Carter living in the Choctaw Nation near Fort Smith, Arkansas, informed you that in 1898 she and her three children Ella, Lizzie and General Johnston were enrolled by the Choctaw authorities at Sharpestown, Indian Territory as a Choctaw freedman, at which time her name was Emma Alexander Whitfield. That sometime thereafter she appeared before the Dawes Commission at Spiro, Indian Territory to be registered together with her children, but she did not seem to understand much about the matter and you request to be advised relative to her status.

You are informed that the Department is in receipt of an application for enrollment as a Choctaw freedman, her application having been made at Spiro, Indian Territory June 14, 1898. There is nothing contained in her testimony at that time, however, to indicate that she had enrollment, nor does it appear from the records that application has been made for enrollment of Ella, Lizzie and General Johnston as Choctaw freedmen.

T. B. #a

You are further informed that before the application for the enrollment of Emma Carter as a Chactaw freedman can be given further consideration it will be necessary that she appear in person before the commission at its office in Muskogee, Indian Territory together with the witnesses that she may be able to procure to testify relative to her rights for enrollment as such.

It is important that such appearance be made with as little delay as possible.

Respectfully,

Chairman.

17 D 122.

17-D-122

Muskogee, Indian Territory, August 19, 1904.

Emma Carter,

Spiro, Indian Territory.

Dear Madam:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

You are, therefore, requested to appear before the Commission at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as a Choctaw freedman, or you may appear before the Commission at its general office, Muskogee, Indian Territory at any time.

Respectfully,

[illegible]
[illegible]

17-D-122.

Muskogee, Indian Territory, April 6, 1905.

Emma Carter,

Spiro, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a Choctaw Freedman, you were advised by letter dated August 19, 1902, that before disposition could be made of said application, it would be necessary for you to appear in person before the Commission at its office in Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of testifying relative to your right to be enrolled as a Choctaw Freedman.

You are again advised that before disposition can be made of said application, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may have who can testify relative to your right to such enrollment.

Such appearance should be made at the earliest possible date, in order that disposition may be made of your application.

Respectfully,

Commissioner in Charge.

17-D-122.

Muskogee, Indian Territory, November 28, 1905.

Thomas Boles, Attorney,
Fort Smith, Arkansas.

Dear Sir:

The records of this office show that you are interested in the matter of the enrollment of Emma Carter, who is an applicant for enrollment as a Choctaw Freedman.

You are advised that before disposition can be made of this application it will be necessary for her to appear in person at this office at Muskogee, Indian Territory, together with such witnesses as she may be able to procure, for the purpose of testifying relative to her right to be enrolled as a Choctaw Freedman.

If you are willing her representative you are requested to give this matter your prompt attention.

Respectfully,

Tams Commissioner.

In re the application of Emma Carter [illegible] to the Commission to the Five Civilized Tribes at Spiro, I. T. June 12th. 1899. for enrollment as a Choctaw Freedman, being duly sworn by Commissioner Needles, and examined by him, et al, she testified as follows:-

Q. What is your name? A. A. Emma Carter.

Q. How old are you. A. I don't know exactly.

Q. Who was your master? A. Bob Jones.

Q. What is your mother's name? A. Martha Jones.

Lin Colbert states under oath that she is a non-citizen,.

J. J. Kelly being duly sworn testifies as follows:---

Q. What is your name? A. J. J. Kelly.

Q. Do you know this woman here? A. Yes sir.

Q. What do you know about her? A. She was always considered a state woman.

Emma Carter re-examined.

Q You will have to bring some further testimony here to prove that you belonged to Jones, and that you are not a stateswoman.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

W. A. Smiley

Dbd

17-2-122.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

-:O:-

In the matter of the application for the enrollment of Emma Carter as a Choctaw freedman.

-: D E C I S I O N :-

It appears from the record herein that on June 12, 1899, at Spiro, Indian Territory, application was made to the Commission to the Five Civilized Tribes by Emma Carter for the enrollment of herself as a Choctaw freedman.

Although ample opportunity has been afforded the applicant to show by satisfactory evidence that at the date of the treaty of June 28, 1866 she was a resident of the Choctaw-Chickasaw country, and that prior thereto she had been held in slavery by a Choctaw citizen, she has failed to do so.

I am, therefore, of the opinion that following the ruling of the Department in the cases of Eliza Bryant et al., (I.T.D. 544-1904), Ed Williams, (I.T.D. 4830-1904), William Hector, (I.T.D. 1469-1904), Minnie Duncan, (I.T.D. 1470-1904), Samantha Chambers, (I.T.D. 1494-1904), Martha Elbert, (I.T.D 4832-1904), Moses Sam, (I.T.D. 2086-1904) and Frankie Grimmett (I.T.D. 7002-1903), that Emma Carter is not entitled to enrollment as a Choctaw freedman and that her application for enrollment as such should be denied under the provisions of the Act of Congress approved June 28, 1898 and it is so ordered.

Commissioner.

Muskogee, Indian Territory,
OCT 19 1906

[illegible]

[illegible], Indian Territory, October 19, 1896.

COPY.

[illegible]

[illegible],

[illegible], Indian Territory.

Dear [illegible]:

Enclosed herewith you will find a copy of the [illegible] Commissioner to the Five Civilized Tribes, [illegible] 17, 1896, [illegible] application for [illegible] Choctaw Freedmen.

[illegible]

17-D-122

Muskogee, Indian Territory, October 19, 1906.

COPY.

Thomas Bolen,
Fort Smith, Arkansas.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 18, 1906, denying the application for the enrollment of Rena Carter as a freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby
Commissioner.

Registered.
Mail Clerk.

D

[illegible]

17-[illegible]-122

Muskogee, Indian Territory, October 19, 1906.

COPY

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
Muskogee, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 17, 1906, denying the application for the enrollment of Sam Carter as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed thereof.

[illegible]

[illegible]

[illegible]

[illegible]

Muskogee, Indian Territory, October 19, 1906.

COPY.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of [illegible] Porter as a Cherokee freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated October [illegible]

Respectfully,

SIGNED Tams Bixby

Commissioner.

CRW

DEPARTMENT OF THE INTERIOR

WASHINGTON THE

D.C.10308-1907.
I.T.D. 3366-1907.

February 18, 1907.

LRS

Direct.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

October 10, 1906, you transmitted the record in the matter of the application for the enrollment of Emma Carter as a Choctaw freedman, including your decision of the same date, denying said application.

Reporting February 14, 1907 (Land 92805-06), the Indian Office concurs in your decision. A copy of its letter is inclosed.

Your decision is hereby affirmed. The papers in the case and a carbon copy hereof have been sent to the Indian Office.

Respectfully,

Thos. Ryan,

First Assistant Secretary.

I Ind. and 1 for Ind. Off.

A.F.Ind.
1216-07.

Refer in reply to the following:

LAND
92805-1906.

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

February 14, 1907.

C O P Y

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application for the enrollment of Emma Carter as a Choctaw freedman, together with the decision of the Commissioner to the Five Civilized Tribes, dated October 19, 1906, adverse to the applicant.

The record shows that application was made to the Commissioner to the Five Civilized Tribes by Emma Carter at Spairo, Indian Territory, on June 12, 1899, for the enrollment of herself as a Choctaw freedman; that although ample time has been afforded the applicant to show by satisfactory evidence that at the date of the treaty of Fort Smith she was a resident of the Choctaw-Chickasaw Country, and that prior thereto she had been held in slavery by a Choctaw citizen, she has failed to do so.

Under the provisions of the act of Congress approved June [illegible] [illegible] of the Commissioner to the Five Civilized Tribes that Emma Carter is not entitled to enrollment as a Choctaw freedman.

Very respectfully,

C. F. Larrabee,

17-D-182

Muskogee, Indian Territory, April 19, 1907.

Emma Carter,

Spiro, Indian Territory.

Dear Madam:

You are hereby advised that on February 18, 1907, the Secretary of the Interior affirmed the decision of this office of October 19, 1906, denying the application for your enrollment as a Cherokee freedman.

Respectfully,

Tams Bixby

Commissioner.

IV-D-128

Muskogee, Indian Territory, April 19, 1907.

Thomas Boles,

Fort Smith, Arkansas.

Dear Sir:

You are hereby advised that on February 18, 1907, the Secretary of the Interior affirmed the decision of this office of October 19, 1906, denying the application for the enrollment of Rena Carter as a Choctaw freedman.

Respectfully,

Tams Bixby

17-D-122

Muskogee, Indian Territory, April 18, 1907.

Messrs. Murray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on February 18, 1907, the Secretary of the Interior affirmed the decision of this office of October 19, 1906, denying the application for the enrollment of [illegible] Carter as a Choctaw freedman.

Respectfully,

Tams Bixby

Commissioner.

Department of the Interior.

Commissioner to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

21367

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OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE $300

~~Fort Smith,~~

~~Ark., Indian Territory~~

5963

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1906
IND.T.

REFER IN REPLY TO THE FOLLOWING

17-D-122

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, October 19, 1906.

Emma Carter,

Spiro, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 19, 1906, denying the application for your enrollment as a Cherokee freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Emma Carter

DECISION R[illegible]FRED.

OCT 19 1906

RECORD FORWARDED DEPARTMENT.

OCT 19 1906

ACTION APPROVED BY SECRETARY OF INTERIOR. FEB 18 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. APR 19 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEY FOR APPLICANT. APR 19 1907

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT. APR 19 1907

Choc FR D-123 Isaac Carson

See Choc FR 124

FR D-123

Choc FR D-124 Isaac Choik

Granted
and record trans to Choc FR 1505
May 20, 1905

FR D-124

Choc FR D-185 HARRIET COX

DISMISSED
Feb 4, 1857

FR D-185

D.C.U.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Harriet Cox as a Choctaw freedman.

17-D-125.

FREEDMAN

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Atoka, I.T., August 28, 1899.

In the matter of the enrollment of Harriett Cox, said Cox being sworn by Commissioner Needles and examined by him et als., testified:

I am 60 years old. I belonged to old man Jack Riddle, a Choctaw. I have never been enrolled. WHy? A.Because I did not understand it. I have lived in the Territory all my life. I had children before I was freed.

(Excused to find witnesses who know her).

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

R. McDonald

(4)

17-D-138.

Muskogee, Indian Territory, August 19, 1904.

Harriett Cox,

Atoka, Indian Territory.

Dear Madam;

In the matter of your application for enrollment as a freedman of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as such freedman.

You are, therefore, requested to appear before the Commission at its general office, Muskogee, Indian Territory as soon as possible, or you may appear at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904, or at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

Respectfully,

Commissioner in Charge.

W. O. B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BECKENRIDGE.

WM. O. BEALL,
Secretary.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-125.

Muskogee, Indian Territory, April 6, 1906.

Revish Ges,

Atoka, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a Choctaw Freedman, you were advised by letter dated August 19, 1904, that before disposition could be made of your application, it would be necessary for you to appear in person before the Commission at its office in Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of testifying relative to your right to enrollment as a Choctaw Freedman.

You are again advised that before disposition can be made of your application for enrollment as a Choctaw Freedman, it will be necessary for you to appear in person before the Commission together with such witnesses as you may have who can testify relative to your right to such enrollment.

Such appearance should be made at the earliest date possible, in order that disposition may be made of said application.

Respectfully,

Commissioner in Charge.

Department of the Interior,
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

MUSKOGEE, IND. T.
APR 8
4 30 P.
1905

FOR PRIVATE USE
1905
IND. T.

17-0145

RETURN TO
Harriet Winter,
UNCLAIMED
ATOKA, IND. T.
Mold, Indian Territory.

MUSKOGEE, IND. T.

REFER IN REPLY TO THE FOLLOWING:

17-D-125

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Dold

Muskogee, Indian Territory, November 28, 1905.

Harriet Cox, (Colored),
Care of Postmaster,
Ateka, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a Choctaw Freedman, you were advised by letters dated August 19, 1904 and April 6, 1905, that before disposition could be made of your application, it would be necessary for you to appear in person before this office at Muskogee, Indian Territory, together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to enrollment as such freedman.

You are again advised that before disposition can be made of your application for enrollment as a Choctaw Freedman, it will be necessary for you to appear in person before this office, together with such witnesses as you may have who can testify relative to your right to such enrollment.

Such appearance should be made at the earliest date possible, in order that disposition may be made of said application.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

FILED
JAN 4 - 1906
COMMISSIONER.

MUSKOGEE, IND. T.
NOV 29
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RETURN TO WRITER UNCLAIMED
ATOKA, I.T.

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12-8-125

Harriet Cox, (Colored),

Care of Postmaster,

Atoka, Indian Territory.

MUSKOGEE
JAN 2
1 PM
1906

ATOKA, IND. T.
NOV 30
7 AM
1905
DEC'D.

17-D-125.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Harriet Cox as a Choctaw freedman.

-: D E C I S I O N :-

It appears from the record herein that on August 28, 1899, at Atoka, Indian Territory, Harriet Cox appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of herself as a Choctaw freedman.

This office has for the past three years through its field parties operating in the Choctaw and Chickasaw Nations and its [illegible] interviews at this office of residents of [illegible] assistance in said nations made every effort to ascertain the whereabouts of the applicant, but no information has been obtained.

It is considered that the applicant is either dead or residing without the limits of the Indian Territory.

I am, therefore, of the opinion that the application for the enrollment of Harriet Cox as a Choctaw freedman should be dismissed, and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

FEB 4- 1907

Choc FR D-126 Will Creel

Refused

FR D-126

Will Creek

DECISION

COPY

COPY [illegible]
ATTORNEYS [illegible]
CHICKASAW NATION

RECORD FORWARDED DEPARTMENT

ACTION APPROVED BY
SECRETARY OF INTERIOR.

FEB 12 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

FEB 28 1907

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

FEB 28 1907

C O P Y

IN RE application of Will Creel for enrollment as a Choctaw Freedman.

Sworn by Commissioner A. S. McKennon.

Will Creel says:

I am 38. I belonged to Holmes Colbert. My mother Sarah belonged to Holmes Colbert.

I was enrolled in the Choctaw Nation at McAlester. Sarah is the wife of William Edwards.

(See testimony of William Edwards, Chickasaw Freedmen, "Contested case")

Governor McCurtain will know of me.

I was born and raised in the Choctaw Nation and have been living in the Chickasaw Nation about 1 1/2 years.

Ardmore, September 24th 1898.

Richard Brashears says:

I know Will Creel. I knew his mother Sarah. She was a U. S. citizen. I first saw her in Fort Smith in 1865. I did not know his father. He was a white man.

Colbert, October 14th 1898.

C O P Y

In the matter of the application of William Edwards for enrollment as a Chickasaw Freedman.

Stonewall, September 1st, 1898.

William Edwards being sworn says:

My father's name was Edwards and I am known in the Choctaw Nation as Edwards. My master's name was Harris. I desire to be enrolled in the name of Edwards.

I am about 57 years old. I belonged to Elsie, the wife of Daniel Harris.

I have been living in the Choctaw Nation ever since emancipation. In 1866 I was in Fort Smith for protection. I remained there until 1867. I left the Territory in the latter part of June 1866, and aimed to be in Fort Smith for the 4th of July, but arrived there on the 5th. I remained there until 1867.

My wife was Sarah. She died about 15 years ago. She claimed to be Chickasaw. She came from off Red River. I first met her at Skullyville, Choctaw Nation and we afterwards went to Fort Smith. She came back about the same time I did. She came back to the Choctaw Nation with me. I married her after we came back to the Choctaw Nation. We married in three or four months after we came back. We lived together until she died. I do not know whether or n not she was from the states or the territory. I only know what she said.

I had been married before that time to a woman named Edy. I left her when I went to Fort Smith, and she died while I was there. I had 3 children by her. One of them is dead . She belonged to Elsie Harris, the same woman I belonged to.

One of my children was Caldonia. She married Levi Shell. She is separated from him. (Caldonia Shell and her children, Sidney, Jackson, Mattie, Gussie and Arlena enrolled. Caldonia is 38 years old and belonged to Elsie Harris.

My other child by her is Jennett. She married a man by the name of Hamilton. She has some children but I know nothing of them.

My children by my last wife are Violet, 20; Walter, 19; and Gussie, 16.

William Edwards in testifying in the case of Malinda Jackson, makes the following supplemental statement:

Stonewall, September 2nd,'98.

It was during the year that peace was made that I went to Fort Smith. It was not a year or two afterwards that I went down to Fort Smith. I was in Fort Smith when the treaty of peace was made with the Indians in 1866. My statement made this morning that it was in 1866 that I went down to Fort Smith is a mistake, because it was in the year that peace was made.

Tishomingo, September 30th, 1898.

Hon. R. M. Harris being sworn says:

I know William Edwards. He belonged to Elsie Harris. I was young at the time he left. It was in the fall of 1864 or 1865. He ran away and never came back until the treaty of 1866. My father was one of the Commissioners to make the treaty of Fort Smith and I went down with him. I saw this negro William Edwards in Fort Smith. He told me he was living there, or about there. He was in Fort Smith while I was there. He never came back to this country that I know of

[illegible] for 1664. He [illegible] of his mill [illegible] in 1669.

[illegible]

[illegible]

Muskogee, Indian Territory, August 11, 1904.

[illegible]

[illegible] Indian Territory.

[illegible] in connection of your application for enrollment as a [illegible] of the Choctaw Nation, it will be necessary for you to appear in person [illegible] Commission [illegible] Muskogee, Indian Territory, [illegible] September [illegible] 1904.

[illegible]

Atoka, Indian Territory, September 6-8, 1904; at the Choctaw Nation Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

Respectfully,

[illegible]

[illegible]

17D126

126

17-D-124.

Muskogee, Indian Territory, April 6, 1905.

Mr. Fred.

[redacted]

Dear Sir:

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Respectfully,

T. B. Needles

Commissioner in Charge.

Dear Sir:

In the matter of your application for enrollment as a Choctaw freedman, you are advised that before disposition can be made of such application, it will be necessary for you to appear in person before the Commission at its office in Muskogee, Indian Territory, together with such witnesses as you have who can testify relative to your right to such enrollment.

Such appearance should be made at the earliest possible date, in order that disposition may be made of your application.

Respectfully,

17 D126

17D12

27[illegible]-[illegible]

Muskogee, Indian Territory, November [illegible], 1904.

[illegible]

Care of Postmaster,

Ardmore, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a freedman of the Choctaw Nation, you were advised on [illegible] 19, 1904, that it would be necessary for you to appear in person before the Commission, together with such witnesses as you might be able to produce for the purpose of testifying relative to your rights under [illegible].

You are again advised that before disposition can be made of your application for enrollment as a Choctaw freedman, it will be necessary for you to appear in person before this office, together with such witnesses as you may have who can testify relative to your right to such enrollment.

Such appearance should be made at the earliest date possible, in order that disposition may be made of said application.

Respectfully,

17-D-126.
D.C.L.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

-:0:-

In the matter of the application for the enrollment of Will Creel as a Choctaw Freedman.

Will Creel, Choctaw Freedman D-126.

-: D E C I S I O N :-

It appears from the record herein that on September 24, 1898, at Ardmore, Indian Territory, Will Creel appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of himself as a Choctaw Freedman. Further proceedings were had in the matter of this application at Colbert, Indian Territory on October 14, 1898.

The applicant claims that both he and his mother, Sarah (now deceased), were the slaves of a Choctaw Indian, and although ample opportunity has been afforded said applicant to show by satisfactory evidence that he was, at the date of the Treaty of Fort Smith, a resident of the Choctaw Nation and a slave of a Choctaw Indian, he has failed to do so.

Notices mailed to applicant at his last known post office address were returned as "unclaimed."

I am of the opinion that, following the ruling of the Department in the cases of Eliza Bryant, et al. (I.T.D. 544-1904), Ed Williams (I.T.D. 4230-1904), William Rector (I.T.D. 1468-1904), Minnie Duncan (I.T.D. 1470-1904), Samantha Chambers (I.T.D. 2296-1904), Martha Albert (I.T.D. 4732-1904), Moses Ross (I.T.D. 6056-1904), Jane Looney (I.T.D. 12688-1904), and Frankie Grimmett (I.T.D. 7902-1905), the application for the enrollment of Will Creel as a Choctaw Freedman should be denied, under the provisions of the act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

Commissioner.

Muskogee, Indian Territory,
SEP 25 1906

[illegible]

[illegible] 28, [illegible]

[illegible]

Tatus Bixby

COPY

[illegible], September [illegible]

[illegible]

[illegible] to [illegible]

Respectfully,

[illegible] Bixby

[illegible]

Copy

[illegible] Indian Department, September 26, 1906.

[illegible]

[illegible]

[illegible]

[illegible] is enclosed herewith [illegible] in the letter asking application for [illegible] Grazing & Timber Permits, [illegible] Commissioner to the Five Civilized Tribes and [illegible] 1906, bearing said application.

Respectfully,

[illegible] Frank Bixby

[illegible]

Secretary.

[illegible]

[illegible] of Indian Affairs.

E.S. [illegible]. (C O P Y) S R W

DEPARTMENT OF THE INTERIOR,

WASHINGTON. FEB

I.T.D. 3644-1907. February 12, 1907.

L E S

Direct.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

September 28, 1906, you transmitted the record in the matter of the application for the enrollment of Bill Creel as a Choctaw freedman, including your decision of the same date, denying such application.

Reporting February 6, 1907 (Land 84097-06), the Indian Office recommends that your decision be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

The papers in the matter, and a carbon copy hereof, have been sent to the Indian Office.

Respectfully,

(Signed) Thos. Ryan,

First Assistant Secretary

1 inc. and 3 for Ind. Off.

A F W

2 13 07.

[illegible]

[illegible]

DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
WASHINGTON.

February 6, 1907.

[illegible]

The Secretary of the Interior.

[illegible]

[illegible] Commissioner [illegible] September [illegible] for the enrollment of [illegible] as a member of the Choctaw Nation of the Choctaw Freedmen [illegible].

The record [illegible] that [illegible] the Commission to the Five Civilized Tribes in Indian Territory, and made application for the enrollment of himself as a Choctaw freedman.

The evidence produced in support of his claim at the hearing on September 24, 1898, and October 14, 1898, is not sufficient to entitle him to enrollment, and although ample opportunity has been afforded the applicant to show by satisfactory evidence that he was, at the date of the treaty of Fort Smith, a resident of the Choctaw Nation, and a slave of a Choctaw Indian, [illegible] is [illegible] since emancipation in his last known residence in Arkansas, [illegible] or [illegible].

It is therefore recommended that in accordance with the departmental ruling [illegible] of all [illegible] the application of [illegible] for enrollment as a Choctaw freedman be denied.

Very respectfully,

[illegible]

[illegible]

17-D-125.

Muskogee, Indian Territory, February 28, 1907.

Will Creel,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on February 12, 1907, the Secretary of the Interior affirmed the decision of this office of September 25, 1906, denying the application for the enrollment of Will Creel as a Choctaw freedman.

Respectfully,

Tams Bixby

Commissioner.

[illegible]

[illegible]

Muskogee, Indian Territory, February 28, 1907.

[illegible]

[illegible] for Choctaw and [illegible],

[illegible], Indian Territory.

Gentlemen:

You are hereby advised that on February 12, 1907, the Secretary of the Interior affirmed the decision of this office of September 25, 1906, denying the application for the enrollment of Will Crowl as a Choctaw freedman.

Respectfully,

Tams Bixby

[illegible]

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

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1 86 106

Will Creel,
~~Muskogee, Indian Territory.~~
Texas

4570

1 8 126

REFER IN REPLY TO THE FOLLOWING:

17-D-126.

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, September 25, 1906.

Will Greel,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered September 25, 1906, denying the application for the enrollment of Will Greel as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.

Incl. 17-D-126.

Choc FR D-127 Sandy Edwards

Dismissed

Feb 4 1907

FR D-127

D.C.L.L.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Sandy Edwards as a Choctaw freedman.

17-D-127.

FREEDMAN

In re application of Sandy Edwards to the Commission to the Five Civilized Tribes at Spiro, I. T., June 16th, 1899, for enrollment as a Choctaw Freedman, being duly sworn by Commissioner Needles and examined by him, et al, he testified as follows

Q. What is your name? A. Sandy Edwards.

Q. How old are you? A. About 49.

Q. Where do you live? A. In Ft. Smith now.

Q. Did you ever live in the Territory? A. I was bred and born in the Territory.

Q. Where? A. Up here on the Canadian.

Q. Who did you belong to? A. John Perry.

Q. Where were you when you were turned free? A. I was turned free in Texas, I came back home afterwards.

Q. How long did you stay in Texas. A. Now very long, I stayed there eight or ten years before I was freed and after I was freed I came on back home in the Nation.

Q Did you ever live in Texas? A. The man that had me lived in Texas, but the last owner I had was here in the Nation.

Q. How could you have an owner in the Nation if you lived in Texas eight or ten years? A. I made a mistake there.

Q. Where you sold in Texas? A. I drifted off there, I don't know whether I was sold there or not, I came back when I got free.

Q. About time did you come back? A. About a year afterwards.

Q. Where was Perry. A. He died, that is how I came to be carried off.

Q. How long have you been living in Ft. Smith? A. Little over a year.

Q. What time did you moved? A. I went there last Christmas a year ago, December, 1897.

Sandy Edwards #2.

Q. Do you know how old you were when you came back from Texas? A. No sir, I don't know exactly.

Q. were you big enough to make a farm hand when you came back? A. Yes sir, I was big enough to plow. I was run off to Texas by some of my people, and a man took me over there and kept me over there, I don't know whether he bought me and paid for me or not, he was not allowed to come back to the Nation. From what I learn, they never received any money for me.

Q. D id you live in the Territory all the time when you came back until about a year ago? A. yes sir.

Q. In June 1896 you were in Arkansas? A. Yes sir.

Q. You had to be here then in order to be enrolled. You will have to bring some body here that knows more about you, and that can give some history about you before we can enroll you?

Q. Is your wife a citizen? A. Yes sir, she belonged to John Pitchlynn.

Q. Have you got any children? A. Yes sir, three.

Q. You had better come to us at some other point, and bring some witnesses, and we will see what can be done for you. I do not think we can enroll you if the facts are as you state.

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

W A Smiley

17-n-137.

Enkporo, Indian Territory, August 10, 1904.

Sidney Morris,

Enkporo, Indian Territory.

Dear Sir: Your letter of your application for enrollment as a Freedman of the Choctaw Nation, is still in abeyance for greater time in order that the Commission, together with such additional evidence may be furnished, showing origin of [illegible] and a [illegible] in the Choctaw

as possible of any new report to the Choctaw Land Office, [illegible] Indian Territory, [illegible] the [illegible]

Respectfully,

[illegible]

Commissioner in Charge.

W.O.B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-127

Muskogee, Indian Territory, April 6, 1906.

Sandy Edwards,

Spiro, Indian Territory.

Dear Sir:

In the matter of the application for your enrollment as a Choctaw Freedman, you were advised by letter dated August 19, 1904, that before disposition could be made of your application, it would be necessary for you to appear in person before the Commission at its office in Muskogee, Indian Territory, and bring with you such witnesses as you may be able to procure for the purpose of testifying relative to your right to enrollment as a Choctaw Freedman.

You are again advised that before disposition can be made of your application for enrollment as a Choctaw Freedman, it will be necessary for you to appear in person before the Commission together with such witnesses as you may have who can testify relative to your right to such enrollment.

Such appearance should be made at the earliest date possible, in order that disposition may be made of your application.

Respectfully,

Commissioner in Charge.

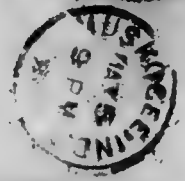
Department of the Interior,
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

MUSKOGEE, IND. T.
APR 7
1 — P
1905

17-D-127

~~Sandy Edwards,~~

~~Spiro, Indian Territory.~~



REFER IN REPLY TO THE FOLLOWING

17-D-127

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 28, 1905.

Sandy Edwards, (Colored),
Care of Postmaster,
Spiro, Indian Territory.

Dear Sir:

In the matter of the application for your enrollment as a Choctaw Freedman, you were advised by letters dated August 19, 1904, and April 6, 1905, that before disposition could be made of your application it would be necessary for you to appear in person before this office, at Muskogee, Indian Territory, and bring with you such witnesses as you may be able to procure for the purpose of testifying relative to your right to enrollment as such freedman.

You are again advised that before disposition can be made of your application for enrollment as a Choctaw Freedman, it will be necessary for you to appear in person before this office, together with such witnesses as you may have who can testify relative to your right to such enrollment.

Such appearance should be made at the earliest date possible, in order that disposition may be made of your application.

Respectfully,

Geo D Lodges
Acting Commissioner.

Department of the Interior
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

MUSKOGEE, IND. T.
NOV 29
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 20 1906

UNCLAIMED

Sandy Edwards, (Colored)
Care of Postmaster,
Spiro, Indian Territory.

MUSKOGEE
JAN 18
5-PM
1906

12-8711

17-D-127.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Sandy Edwards as a Choctaw freedman.

-: D E C I S I O N :-

It appears from the record herein that on June 16, 1899, at Spiro, Indian Territory, Sandy Edwards appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of himself as a Choctaw freedman.

This office has for the past three years through its field parties operating in the Choctaw and Chickasaw Nations and its land offices and by interviews at this office of residents of the Choctaw and Chickasaw Nations of extensive acquaintance in said nations made every effort to ascertain the whereabouts of the applicant, but no information has been obtained.

It is considered that the applicant is either dead or residing without the limits of the Indian Territory.

I am, therefore, of the opinion that the application for the enrollment of Sandy Edwards as a Choctaw freedman should be dismissed, and it is so ordered.

Commissioner.

Muskogee, Indian Territory,
FEB 4- 1907

Chas. [illegible] Parks Fields

FR 0-138

CHOCTAW FREEDMAN D-168

Emily Fields

DECISION REGISTERED JUL 1 1906

REFUSED JUL 1 1906

NOTICE MAILED JUL 1 1906

DECISION MAILED JUL 1 1906

COPY OF DECISION FORWARDED APPLICANT JUL 10 1906

RECORD FORWARDED DEPARTMENT JUL 1 1906

ACTION APPROVED BY SECRETARY OF INTERIOR MAR 4 - 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS APR 19 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEY FOR APPLICANTS APR 19 1907

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANTS APR 19 1907

17-D-128.

Muskogee, Indian Territory, August 19, 1904.

Emily Fields,

Caddo, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a freedman of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as such freedman.

You are, therefore, requested to appear before the Commission at its general office, Muskogee, Indian Territory as soon as possible, or you may appear at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904; or at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

Respectfully,

Commissioner in Charge.

13-D-128

17828
17919

17-D-79
17-D-138

Muskogee, Indian Territory, October 21, 1904.

Charles E. McPherren,

Gaddo, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 18th instant, requesting to be furnished with a copy of the testimony taken at Atoka, Indian Territory, September 6 and September 20, 1904, in the matter of the application for the enrollment of Jennie McDonald and others.

Enclosed herewith you will find a copy of the testimony taken in said cases upon the dates mentioned, together with a receipt for the same, which you are requested to sign and return to this office at your earliest convenience.

Respectfully,

Chairman.

Enc. E. D. 1-91.

17182

17-3-138

Muskogee, Indian Territory, November 27, 1905.

Charles E. McGherron,

Soddy, Indian Territory.

Dear Sir:

On February 28, 1905 you advised this office that you were the attorney for Emily Fields and her descendants, who are applicants for enrollment as Choctaw Freedmen. On March 1, 1905 a letter was addressed to you, asking for certain evidence relative to the enrollment of said Emily Fields and her descendants.

No response has been received at this office in reply to said request. You are now advised that if you represent the parties above mentioned it will be necessary that additional evidence should be furnished in the matter of the enrollment of said parties. Evidence is requested with respect to the ownership of Emily Fields at the close of the war, the residence of herself and descendants up to and including September 25, 1902.

You should give this matter your prompt attention. If you do not at present represent them you will please inform this office to that effect.

Respectfully,

1/14/05

Rec'd of Com'r to 5 Civilized Tribes one copy of oral testimony taken Sept 20 & Sept 16/1905 in case of Emily Fields.

M McMath

1752-122

Muskogee, Indian Territory, December 14, 1905.

Charles E. McMurren,

Attorney at Law,

Vadde, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 6, 1905, stating that you will forward additional evidence in the Choctaw enrollment case of Emily Fields as early as possible.

In reply to your letter you are advised that such evidence as you desire to submit in this case should be forwarded as early as practicable in order that disposition may be made of the [illegible]

Respectfully,

[illegible]

COPY.

Muskogee, Indian Territory, December 23, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to acknowledge receipt of Departmental letter of November 9, 1906 (I.T.D. 5814-1906), requesting to be informed whether there is now pending before this office an application for the enrollment of Mary Belvin as a Choctaw freedman, and if such application exists the Department desires that the record be forwarded as soon as possible for action thereon.

Reporting in this matter I have the honor to advise that on August [illegible], 1904, application was made by Mary Belvin for enrollment as a Choctaw freedman. The applicant is the daughter of Emaline or Emily Fields, who is also an undetermined applicant for enrollment as a Choctaw freedman.

Before disposition can be made of the application for the enrollment of Emaline or Emily Fields, or her descendants, as Choctaw freedman, it will be necessary that additional testimony be secured. The applicants have no apparent residence but advise that the record in their cases is not sufficiently conclusive to warrant the preparation of a decision and have been

Board to present such additional testimony as they may present, at the earliest practicable date.

As soon as the necessary testimony is secured the application for the enrollment of Martine or Daily Fields and her descendants, including Mary Selvin, will be disposed of.

Respectfully,

SIGNED *Tams Bixby*

Commissioner.

Through the Commissioner
of Indian Affairs.

Muskogee, Indian Territory, April 9, 1906.

Charles D. McPherson,
Attorney at Law,
Caddo, Indian Territory.

Dear Sir:

There is inclosed you herewith copy of testimony taken April 5, 1906, in the consolidated Choctaw Freedman case of Emily Wells et al., together with receipt therefor which please sign and return to this office.

Respectfully,

Acting Commissioner.

W.O.O.

[illegible]

[illegible]

[illegible] Muskogee, Indian Territory, April 9, 1906.

Mansfield, Mcmurray & Cornish,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

There is herewith inclosed copy of testimony [illegible] 5, 1906, in the consolidated Choctaw freedman case of Emily Ishia et al., together with receipt therefor which please sign and return [illegible] witness.

Respectfully,

Acting Commissioner.

17-D-128

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

FILED

APR 14 1896

COMMISSIONER.

17-D-128

Received of the Commissioner to the Five Civilized Tribes one copy of the testimony taken April 5, 1906, in the consolidated Choctaw freedman case of Emily Fields et al.

Mansfield McMurray Hornish

Muskogee, Indian Territory,
April 9, 1906.

17-D-128

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

FILED

APR 21 1906

COMMISSIONER.

17-D-128

Received of the Commissioner to the Five Civilized Tribes one copy of the testimony taken April 12, 1906, in the consolidated Choctaw freedman case of Emily Fields et al.

Mansfield McMurray Cornish

Muskogee, Indian Territory,
April 14, 1906.

31-

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Caddo, I.T. , August 24, 1899.

In the matter of the enrollment of Emily Fields, Tom Harris being sworn by Commissioner Needles and examined by him et als., testified:

I am 59 years old. I belonged to Eli Perry. I know Emily Fields . I have been knowing her ever since I was 25 years old. She belonged to Dr. McCoy and John McCoy. They were Choctaws. I was told she was sold. I don't know who she belonged to when she was freed. They say she was sold to old man Cawthon in Texas before the war. When she came back here everybody was freed I suppose. When I saw her we were not freed yet. I know she was sold. Don't know when she came back.

Department of the Interior,
Commission to the Five Civilized Tribes.
I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

B M [illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
ATOKA, INDIAN TERRITORY,
September 6, 1904.

In the matter of the enrollment of Emily Fields and her contestants as Cherokee Freedmen, embracing the consolidated applications of

Emily Fields,	17-D-188.
Joanna McDonald, et al,	17-D- 79.
Eveline Bryant, et al,	17-D- 80.
Jim Townsend,	17-D-81.
Sidney Fields, et al,	17-D-82.
Rena Paris,	17-D-83.
Alexander Fields,	17-D-87.
Sterling Williams, et al,	17-D-84.
Madison Fields, et al,	17-D-86.
Mary Selvin,	17-D-10.
Horace Fields,	17-D-88.
Charley Fields, et al,	17-D-85.

(The applicants appear by their attorney, Charles E. McPherren, and ask for a continuation of this consolidated case until the morning for the purpose only of introducing testimony showing that Emily Fields was the slave of a recognized Cherokee Indian at the time of the treaty of Fort Smith, and the case is continued until to-morrow morning for that purpose only, and permission is granted to the applicants to produce Jack Flint as a witness at Muskogee, for which purpose only a continuation of fifteen days is granted.)

September 7, 1904.

Nicholas Daniel, being first duly sworn, testified as follows:

Q. What is your name? A. Nicholas Daniel.
Q. Are you a Cherokee by blood? A. Yes, sir.
Q. Full blood? A. Yes, sir.
Q. Have you taken your allotment yet? A. Yes, sir.
Q. Where do you live? A. I live beyond Dodge. My postoffice is Nowhite.
Q. How old are you? A. Seventy.
Q. Have you always lived in the Cherokee Nation? A. Yes, sir, I was raised just in the Cherokee Nation.
Q. [illegible] A. Yes, sir, I know them
Q. [illegible]
Q. [illegible]
Q. [illegible]
Q. [illegible]
Q. [illegible]
Q. [illegible]
Q. [illegible]
Q. [illegible]
Q. [illegible] the war? A. I never changed

Q. Were there a few, or were there quite a number? A. I thought there was a good many.
Q. Did you know any of his slaves by name? A. No, not at first.
Q. Did you know the names of any of the slaves of Doc and John McCoy at the close of the war? A. Since about that time, I learned their names.
Q. Do you know these people there? A. I know them all.
Q. What are the names of these two women? A. I know these women to be — I know this one to be Mary; I am not certain that I know the other.
Q. Do you remember Rena Paris? A Yes, I remember that name. I recognize them now to be Rena Paris and Mary Belvin.
Q. Do you know whose children they are? A. Yes, sir.
Q. What is their mother's name? A. I know their mother, but I cannot still speak the name.
Q. Do you know whether the mother of these children was a slave, and if she was, whose slave was she? A. Yes; Doc McCoy's.
Q. Do you know whether Doc McCoy and John McCoy had a slave called Emily Fields? A. I was not familiar with their names.
Q. How often did you see the mother of the two applicants, Rena and Mary, after the war? A. Nearly all the time since.
Q. Was the mother of these children living anywhere near where you were living? A. Yes, they have lived ever since that near where I live: near Caddo.
Q. At the time of the close of the war? A. No, not then.
Q. How old was the mother of these children when you first knew her? A. I saw her in 1866, and she was then a grown woman.
Q. Did she have any children then? A. I don't know. There were children there, but I do notknow whether they were here or not.
Q. How many were there? A. About three or four, maybe more.
Q. To the best of your knowledge, did Emily Fields live in the Choctaw Nation from the beginning of the war up to the present time? A. Yes, sir, ever since I knew her.
Q. Our records show that Emily Fields is now about ninety-five years old. IS she, to the best of your knowledge, the person whom you know as the slave of Doc McCoy and John McCoy?
A. Yes, sir, I am satisfied she is the same one.

Witness excused.

Ben Nail, being first duly sworn, testified as follows:

Q. What is your name? A. Ben Nail .
Q. You are a freedman? A . Yes, sir.
Q. Are you any relation to Emily Fields? A. No, sir.
Q. Are you related to any of the family? A. No, sir, not in any way at all.
Q. How old are you? A. About fifty-eight.
Q. Where were you born? A. [illegible] Nation, [illegible] County.
Q. Have you lived here ever since? A. Yes, sir.
Q. Are you on the final roll? A. Yes, sir.
Q. Have you taken your allotment yet? A. Yes, sir.
Q. Do you know Emily Fields? A. Yes, sir.
Q. About how old is she now? A. About seventy/ A very old woman.
Q. When did you first know her? A. When she came before Judge Thompson to be enrolled for adoption.
Q. When was that? A. I don't know.
Q. How soon after the war was that? A. Eight or nine years after the war, I reckon.

Q. How did you happen to get acquainted with her at that time?
A. She was there at the enrollment and I was there.
Q. Was someone taking the census of the freedmen at that time?
A. Yes, sir.
Q. This was soon after the war? A. Yes, sir. I don't know exactly.
Q. You didn't know her during the war nor for some years after the war? A. No, sir.

Examination by C. N. McPherren, attorney for the applicants:

Q. You say you were present at the time the man Thompson was taking the census of the freedmen? A. Yes, sir.
Q. Did you see Emily McCoy, who is now Emily Fields, at the enrollment? A. Yes, sir.
Q. At what place were they taking this census? A. Caddo.
Q. Did you see Doc McCoy there? A. Yes, sir.
Q. Who brought the applicant, Emily McCoy, before Judge Thompson to have her enrolled? A. Doc McCoy.
Q. Where is Doc McCoy? Living or dead? A. I don't know.
Q. How long since you have seen him? A. Never since that time.
Q. What is your understanding as to whether or not he is living or dead? A. I don't know about it.
A. Do you understand that he is still living? A. No, sir.
Q. Have you heard he is dead? A. Yes, sir.

Witness excused.

Commission to McPherren:
Do you claim that Doc McCoy is dead and has been dead some time?
A. I do not know. That is my understanding.
Q. You are bringing this testimony now on the assumption that Doc McCoy is dead? A. Yes, sir.

Ben Nail recalled, examination by Commission.

Q. Then you have heard Doc McCoy is dead but you do not know it?
A Yes, I have heard that.
Q. Who brought Emily Fields, or Emily McCoy before the census Commission, or Thompson, and had her enrolled as having been freed as his slave? A. He had her brought up there, Doc McCoy.

Witness excused.

Hannibal Sheles, being first duly sworn, testified as follows:

Q. What is your name? A. Hannibal Sheles.
Q. [illegible]
Q. His brother [illegible]
Q. Where is Doc? A. [illegible]
Q. When did he die? A. I don't know.
Q. How long ago? A. Six or eight years ago.
Q. What was he? A. Choctaw.
Q. By blood? A. Yes, sir.
Q. Lived in Kiamitia County? A. Yes, sir.

Witness excused.

[illegible]

[illegible]

Elva E. Dalton

Subscribed and sworn to before me this 16 day of [illegible]

[illegible]

17-D-128.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, Indian Territory Sept. 20, 1904.

In the matter of the application for the enrollment of [illegible] Fields as a [illegible] Freedman of the [illegible] Nation.

[illegible], representing [illegible] E. McPherren, attorney for applicant.

Isom Flint being first duly sworn as a witness testifies as follows:

Examination by the Commission:

Q What is your name? A Isom Flint.
Q How old are you? A I am supposed to be about eighty-two [illegible] [illegible] came to this country in 18[illegible] and was seven years [illegible]
[illegible] Hall.
Q [illegible] acquainted with a woman by the name of [illegible] Fields? A [illegible] acquainted with her.
Q When did you first become acquainted with her? A I got acquainted with her [illegible]
Q How old is [illegible] Fields at the present time? A I couldn't tell [illegible]
Q [illegible] A Younger; her mother and [illegible]
Q [illegible] at the beginning of the war? A [illegible]
[illegible]
Q At the beginning of the war? A Yes, sir.
Q And you say that [illegible] Fields was only a small [illegible] at the beginning of the war? A [illegible]
Q About how old was she at the beginning of the war? A I couldn't tell you now.
Q Did you ever know more than one person by the name of [illegible] Fields [illegible] Fields? A No, sir, I just knew the [illegible] of [illegible]
Q [illegible] not nearly as old as you are? A [illegible]
[illegible]

Q Did you know Emily McCoy? A I knew her by reputation from her mother.
Q Was Emily McCoy any relation to Emily Fields? A No, sir, none at all as I know.
Q What was the name of Emily McCoy's mother? A I don't know, her name might have been - I don't know what her name was - this woman you are talking about belonged to Jim McCoy and Emily Fields is another woman, the woman that had those children was so old at that time.
Q Is Emily McCoy living now? A She was here last fall.
Q Did you see her last fall? A Yes, sir.
Q Was she still known by the name of Emily McCoy? A Yes, sir - the woman you say is Emily McCoy is a different person from Emily Fields.
Q As a matter of fact you don't know anything about Emily McCoy and Emily Fields? A I know Emily Fields as well as I know anybody I ain't lieing about the Emily Fields but the McCoy part I don't know anything about i t because I wasn't called on for it; that is all.

Examination by Attorney Breed:

Q Did you know a woman by the name of Emily McCoy during the war?
A Yes, sir, I knew her she belonged to Jim McCoy.
Q How old was she at that time? A I don't know.
Q About how old? A She was an old woman.
Q Then didyou know a woman by the name of Emily Fields? A Yes, sir.
Q How old was she? A She was a young girl I tell you.
Q Then there were two parties one named Emily Fields and one named Emily McCoy? A Yes, sir.
Q Was Emily McCoy married at that time? A yes, sir.
Q Was Emily Fields a married woman? A No, sir, she wasn't.
Q Do you know how many children Emily McCoy had at that time? A Yes, sir, I don't know, they lived down close to Caddo and I lived in the Chickasaw Nation.
Q Do you know whether Emily McCoy afterwards married a man by the name of Fields or not? A No, sir.
Q Do you know whether she ever married at all after that? A No, sir.
Q To whom did Emily McCoy belong? A Jim McCoy.
Q To whom did Emily Fields belong? A To Jim Colbert's wife a Choctaw who lived at the mouth of Boggy where she was raised then she went -
Q Were these people, Emily Fields and Emily McCoy, both slaves? A Yes, sir, they was all slaved.
Q Do you know anything further about either one of those people than [illegible] A No, sir, I know the man they belonged to at that time.

[illegible] Commission that [illegible]
No, [illegible]
Q Jim and John McCoy are Choctaw and Jim Colbert was a Chickasaw and his wife was a Choctaw.

Examination by the Commission:

Q Who was Clark McCoy? A That was one of his sons.
Q Whose sons? A McCoy's sons.
Q Jim McCoy? A No, sir, John McCoy's sons.
Q You don't know anything about Emily McCoy since she was freed?
A No, sir.
Q You haven't seen her children after the war? A I seen her some time ago, she was small then?.
Q Emily McCoy was small during the war? A The old lady - of course these are her daughters - came to me at Atoka and the old lady come afterwards, of course she had grown daughters. I didn't come here to testify anything about the McCoys I came here to testify about the Fields.
Q You say that Emily McCoy and Emily Fields were no relation whatever? A No, sir, not as I know of I never heard anybody say so.
Q Emily McCoy was an old woman at the beginning of the war and Emily Fields was a young woman? A Yes, sir.
Q And since the war you don't know anything about either of them?
A No, sir.
Q Did Emily McCoy remain the slave of Jim McCoy from the beginning of the war until the close of the war in 1865? A Yes, sir.
Q Was Emily McCoy living in the Choctaw-Chickasaw country at the time of the signing of the treaty of Fort Smith? A Yes, sir, she was in the Choctaw Nation.
Q Do you remember the treaty of Fort Smith? A Yes, sir.
Q At that time Emily McCoy, this old woman, was ~~king~~ living down there in the Choctaw Nation? A They lived about Caddo.
Q You lived fifty miles from them? A Yes, sir.
Q So you don't know positively where they were during the war? A No, sir.

Examination by attorney Brook:

Q You say you saw Emily McCoy last fall? A Yes, sir.
Q And the Emily McCoy you saw then is the same party you knew during the war as Emily McCoy? A Yes, sir.

Examination by the Commission:

Q How old was this Emily McCoy that you saw last fall - about how old? A I guess she is over fifty, she was all crippled up.
Q Is she as old as you? A No, sir, I have a daughterlocks her age she if fifty-seven.

By attorney Brook:

Q You din't know much about the respective ages of these people do you? A No, sir.

Witness excused.

Chas. T. Diffenbaugh being first duly sworn states that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Chas. T. Diffenbaugh

Subscribed and sworn to before me this 19th day of September 1904.

J H Blamphell

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLLINS, IND., TER., JUNE 11, 1900.

In the matter of the application of Joanna McDonald for enrollment as a Choctaw Freedman, said Joanna McDonald being sworn by Acting Chairman Bixby, testified:

By the Commission:

Q What is your name? A Joanna McDonald.
Q What is your postoffice address? A Caddo.
Q What is your age? A About 45.
Q Where do you live? A Caddo.
Q Where were you born? A In the Choctaw Nation?
Q At what point in the Choctaw Nation? A Kiamish.
Q Have you lived in the Choctaw Nation continuously since your birth? A Yes.
Q Then you have never been out of the Choctaw Nation during your life? A I have been out visiting, not living.
Q Were you the slave of a Choctaw Indian? A Yes.
Q Who was your owner? A Clark McCoy.
Q Are you married? A I am not married now.
Q Have you ever been married? A yes.
Q What was your husband's name? A Andy McDonald. I have been married twice.
Q Is Andy McDonald living or dead? A He is dead.
Q Have you married again since his death? A No sir.
Q Was Andy McDonald your first husband? A No sir.
Q What was the name of your first husband? A John Williams.
Q Did you live with John Williams? A yes, one [illegible].
Q Have children? A yes.
Q What is the name of that child? A Eveline Bryant.
Q Is that the only child by your first marriage? A The other one isn't living.
Q Have you any children by your second marriage? A Yes.
Q Are they all under 21 years of age? A I don't know exactly what their ages is. I haven't got their ages.
Q Give the names and ages of your children by your second marriage, start with the oldest and give me their first name? A Buck Townsend.
Q Who is the father of Buck Townsend? A Jobe Townsend?
Q How old is Buck? A 22.
Q What is the name of your next child? A Viney McDonald.
Q How old is Viney? A I don't know exactly the ages.
Q Give us the ages approximately as near as you can? A 21.
Q What is the name of your younger than she? A Lala Stevenson.
Q How old is Lala? A About 17.
Q Who is the next one? A Minnie.
Q How old is Minnie? A About 16.
Q What is the name of the next child? A Lennie.
Q How old is Lennie? A About 14 years old.
Q What's the name of the next one's name? A Paralee McDonald.
Q How old is Paralee? A 12 years old.
Q What is the name of the next one? A Cleveland McDonald, [illegible] years old.
Q Have you any more? A [illegible]
Q Did any of these children marry? A [illegible] of them.
Q Where are they now? A [illegible] and Lala.
Q Did you make application for the enrollment of yourself, your [illegible], Minnie McDonald, Lennie McDonald, Paralee McDonald [illegible], as Choctaw Freedmen? A Yes.
Q Are all your children living and unmarried? A yes.
Q Are they all living at home with you? A yes.
Q Who was the owner of your father? A Mike McCoy.
Q Is your father living or dead? A He is living.

Q Where does he live? A At Boggy.
Q Was he the slave of a Choctaw Indian? A I don't know.
Q What is the name of your mother? A Emily McCoy.
Q Is your mother living? A Yes.
Q Where does she live? A At Caddo.
Q Was she the slave of a Choctaw Indian? A Yes.
Q What was her master's name? A Clark McCoy.
Q Were you in the Choctaw Nation during the Civil war? A yes.
Q Where were you when you were freed? A I was here in the Choctaw Nation.
Q Then you were here at the close of the war? A yes.
Q Do you know whether you were in the Choctaw Nation on September 15th 1865? A Yes, I guess I was, I was born and raised here.
Q How long after you were freed before you left the Choctaw Nation for any purpose? A I don't know.
Q Do you remember the first time you ever left the Choctaw Nation? A I don't know, but it was after I was married.
Q Don't you remember the year you were first married? A I don't remember.
Q How long was it after the war closed-- after you were freed that you were first married? A I don't know.
Q You were not married when you were freed were you? A No sir, I don't think I was.
Q Did you ever make your home anywhere except in the Choctaw Nation? A I have always lived here- never made my home anywhere's else.
Q Do you know whether your mother was in the Choctaw Nation in September, 1865, or not-- that is the year after the war closed? A I don't know.
Q Do you know whether your father was in the Choctaw Nation in September, 1865? A He has always been here--- I guess he was.
Q Have you ever been enrolled by the authorities of the Choctaw Nation as a Choctaw freedman? A Yes.
Q When were you enrolled by the authorities of the Choctaw Nation? A When they were registering them.
Q When was that? A I could not tell you when it was. It was a good while ago.
Q 10 years ago? A It hasn't been that long.

By Judge Lewis:
Q Didn't Clark McCoy have another name? A No sir.
Q What did they generally call Clark? Didn't they generally call him Buck? A yes.
Q Were you living with your mother when you were freed? A yes?
Q Well where was Buck living when the war ended? A On Kiamish.
Q Right there? A I could not tell exactly-- it was on Kiamish.
Q Were you living with him when you got free? A Yes.
Q Where did you live--- what part of Kiamish county? A I don't know exactly what part it was.
Q Who lived near there-- you knew the neighbors didn't you? A Lots of people lived there.
Q Did Peter Mathubby live near there? A I don't know him.
Q Did you know William Spring? A Yes.
Q [illegible] from William Spring? A I don't know exactly
Q [illegible]
Q [illegible] mother? A [illegible]
Q [illegible] you long back from going home about 2 years after the war was [illegible] mother and all of you? A I always stayed here.
Q [illegible] the Negro boys sold your mother and that children [illegible] at that time to William Spring and Spring sold them over to [illegible] A I don't know.
Q [illegible] were in the Choctaw Nation or Texas? A I was born here

Q Are you in the Choctaw Nation? A Yes.
Q You don't know whether you went with your mother or not when you were sold? A I don't know; I always lived here since I can remember.
Q Do you know Henry Chalk? A No sir.

By the Commission:
Q Will you swear positively that you never have lived in the State of Texas? A I have been over there— visited over there a little while.
Q How long did you stay at any one time in Texas? A Stayed there a couple of years did you at one time? Didn't you stay there two years at one time? A I don't know; I know I stayed there.
Q Didn't you stay as long as two years at most? A I don't know; I know I stayed there.
Q Did you stay there a year? A I don't know; when I stayed there.
Q Well, you certainly can tell whether you stayed there a month, a week or a year can't you? A I don't know exactly how long.
Q When were you last in the State of Texas? A It has been a good while.
Q Was it long a year? A It has been longer than that.
Q Do you remember when the last President of the United States was elected? A I don't remember.
Q Don't know was a President elected about four years ago?

[illegible] for [illegible]

[illegible] and made application for enrollment for you and other members of your family? A I don't [illegible]
Q In what county of the Choctaw Nation do you live? A I live at Kiowa.

[illegible]

[illegible]

Q [illegible] A I do

[illegible] Nancy [illegible] Applicant.

Q [illegible] your father's rights?

Q Is that all you wish to submit to the Commission? A Yes.

(Affidavits of David [illegible] and Emily Fields filed).

[illegible] additional statement in regard to your case that [illegible] a [illegible] tion [illegible] or [illegible] which you may enter on your case will be transmitted to the Honorable Secretary of the Interior when the rolls of [illegible] Choctaw Freedmen are forwarded to him for final approval.

D.79-Choctaw freedmen.
Jeanna McDonald-S.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND., TER., JUNE 11, 1902.

In the matter of the application of JEANNA MCDONALD for enrollment as a Choctaw freedman, Peter Maytubby being sworn by Acting Chairman Bixby testified:

By Judge Lewis:

Q How old are you? A 43.
Q Are you a full blood Chickasaw? A Yes.
Q What official position do you hold in the Chickasaw Nation? A I am a member of the Chickasaw Citizenship Commission.
Q Were you acquainted with Clark McCoy? A Yes.
Q Had a nickname he was known by? A Yes.
Q What was that nick-name? A Beck.
Q Did he have any slaves at the time the slaves were set free? A No sir.
Q Did you know a woman John and Clark owned named Emily? A Yes.
Q Do you know what became of her? A He sold her over in Texas.
Q Do you know who bought them? A Yes.
Q What was the man's name? A William Byring and John Gothlin bought them.
Q Did she have any children at the time she was sold? A I think [illegible]
[illegible] women (two mentioned as being [illegible] these [illegible]
[illegible] the slaves they had? A Yes.

By the Commission:

Q Do you remember the exact time that these people were sold to these Texas people? A No sir, I was going to school at that time.

By Mr. Cornish Choctaw-Chickasaw attorney:

Q Do you remember about how long that was before the slaves were freed? A I must have been 17 or 18 years old.
Q Do you remember about how many years it was before the slaves were freed? A I am 43 years old now and I was between 17 and 18 years old going to school.
Q That was about 1876? A Yes.

By the Commission:

Q Do you know whether these slaves were removed to Texas at that time? A They were sold and taken over in Texas by old man John Gothlin. William Byring and John Gothlin were partners.
Q Is that William Byring a Choctaw Indian? A Yes, a half breed.
Q Was John Gothlin a Choctaw Indian? A No sir, he was a white man.
[illegible] to the Choctaw Nation?
[illegible]
[illegible]
[illegible] be [illegible]

Brown McDonald, being sworn by Acting Chairman Bixby, says that he [illegible] the Commission to the Five Civilized Tribes, [illegible] prepared to fill the testimony of Joanna McDonald and [illegible] in the matter of the application of Joanna McDonald for enrollment as a Cherokee freedman, and that the foregoing transcript is a full and correct transcription of his notes.

Brown McDonald

Sworn to and subscribed before me this 13th day of June, 1900, at Colbert, Indian Territory.

[illegible]

Personally appeared David McCoy before me the undersigned authority and after bring duly sworn according to Law, make the following statement My name is David McCoy my Post Office is Boggy Depot, Ind. Ter. my age is about 100 years I came to this Choctaw Nation from Mississippi as a Slave of Choctaw Indian and formerly held in slavery by one James McCoy a Choctaw Indian I was married to Emily McCoy before the war. And that Emily McCoy who was also a Slave woman And belonged to George Clark McCoy, had three children born to us, 1 girl by the name of Ellen and the other by the name of Johanna and one boy the name of Sam. I will state Johanna last husband name was Andy McDonnell and that Johanna McDonnell, who is now applicant for enrollment is my Daughter and the Daughter of Emily Fields, who was Emily McCoy and that her Descendant are the Descendent of an ex slave of the Choctaw and the following children are Johanna McDonnell's viz , Eveline Bryant Robert Lee Tennell, Viney McDonnell, Lula McDonnell, Lener McDonnell, [illegible], Dannie McDonell, Cleveland McDonnell - That I make this statement form my own personall knowledge - and for Justice.

Witnesses the Signetar David (his x mark) McCoy

Henry Byrnes

Subscribed to before me this 8th day of June 1900.

Chas. M. McPherren

(SEAL) Notary Public.

Indorsed:

Filed June [illegible]

Commission of Five Tribes

Personally appeared Emily Fields before me the undersigned authority and after being duly sworn according to Law, state My name is Emily Field My Post office is Caddo, I.T. My age about 90 years I am a freedwoman I was formerly owned by George Clark McCoy a Choctaw Indian, I was married David McCoy who was freedman belong to James McCoy and there was three children born to us one name Ellen and Johanna and Sam McCoy and that Johanna McDonnell and her children who are an applicant for enrollment as freedmen - are the Daught of myself and David McCoy and that Johanna McDonnell as descendant of Ex-Slave and those her children as viz - Evilene Bryant, Bort. Lee Towner, Viney McDonnell Eula McDondennell Lener McDonnell, Pearlee McDonnell, Fannie McDonnell, Cleveland McDonnell

I make this statement form my own personal knowledge and to the best of my belief.

Emily (her x mark) Fields

Sworn and subscribed to before me this [illegible] day of [illegible]

Chas. McPherren

(SEAL) Notary Public.

Indorsed:

Filed June 11, 1900.
Commission to Five Tribes.

Feb 22 - 1907

32

IN RE
THE DEATH OF

Joanna McDonald

a citizen of the

Choctaw (Freedman) Nation.

Approved 190

..... Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Joanna McDonald (Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Caddo (Here insert name of postoffice), Ind. Ter., and died on the 25th. day of
February, 1903.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Central DISTRICT.

I, Mary Lee nee Belvin, on oath state that I am 33
years of age and a citizen, by adoption, of the Choctaw (Feddman) Nation;
that my postoffice address is Caddo (Here insert name of postoffice.), Ind. Ter.; that I am
sister (State relationship as: the father; an uncle; a cousin, etc.) of Joanna McDonald (Here insert name of deceased),
who was a citizen, by adoption, of the Choctaw (Freedman.) Nation;
and that said Joanna McDonald (Here insert name of deceased.) died on the 25th. day of
February, 1903.

Mary Lee

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 14th. day of March, 1905.

Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Central DISTRICT.

I, Jesse Smith, on oath state that I am 21
years of age, and a citizen ~~by~~, of the United States ~~XXXX~~ Nation;
that my postoffice address is Caddo (Here insert name of postoffice.), Ind. Ter.;
that I was personally acquainted with Joanna McDonald (Here insert name of deceased.)
who was a citizen, by adoption, of the Choctaw (Freedman) Nation;
and that said Joanna McDonald (Here insert name of deceased) died on the 25th. day of
February, 1903.

his
Jesse + Smith
mark

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 14th. day of March, 1905.

Notary Public.

88.

IN RE
THE DEATH OF

Fanny McDonald
a citizen of the
Choctaw freedman *Nation.*

Approved NOV 25 1902 *1*

Tams Bixby
Commissioner.

Department of the Interior,
Commission to the Five Civilized Tribes.
Filed Nov. 25, 1902.
Tams Bixby, Acting Chairman.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Fanny McDonald (Here insert name of deceased.)

a citizen ~~citizen~~ Choctaw Freedman ~~Freedman~~ who formerly resided at or near

Caddo (Here insert name of post office.), Ind. Ter., and died on the 18th day of July,

1 902

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, (INDIAN TERRITORY.)
Central District.

I, Viney Nail on oath state that I am 23

years of age and ~~a citizen, by~~ Non Citizen, of the Choctaw Nation;

that my post office address is Caddo (Here insert name of post office.), Ind. Ter.; that I am

a sister (State relationship, as: the father; an uncle; a cousin, etc.) of Vanny McDonald (Here insert name of deceased.),

who was ~~a citizen, by~~ freedman, of the Choctaw Nation;

and that said Fanny McDonald (Here insert name of deceased.) died on the 18thday of

July, 1 902

Vinie Nail

WITNESSED TO MARK:

(Witnesses.)

Subscribed and sworn to before me this 20th *day of* November 1902.

D. H. Linebaugh
Notary Public.

(SEAL)

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, (INDIAN TERRITORY.)
Central District.

I, Peter Nail, on oath state that I am 52

years of age, and a ~~citizen, by~~ freedman, of the Chickasaw Nation;

that my post office address is Caddo (Here insert name of post office.) Ind. Ter.;

that I was personally acquainted with Fanny McDonald (Here insert name of deceased.)

who was a ~~citizen, by~~ freedman, of the Choctaw Nation;

and that said Fanny McDonald (Here insert name of deceased.) died on the 18thday of

July, 1 902.

Peter his X mark Nail

WITNESSED TO MARK:

(Witnesses.) Wm. C. Bunn

B. M. Maison

Subscribed and sworn to before me this 20th *day of* November 1 902.

D. H. Linebaugh
Notary Public.

(SEAL)

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Ind. Ter., Nov. 20,1902.

Dawes
Thompson
Wheedon.

In the matter of the application of Robert Townsend for enrollment as a freedman of the Choctaw Nation.

Robert Townsend, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

Q What is your name? A Robert Townsend.
Q Are you sometimes known as Bob Townsend? A Yes sir.
Q How old are you? A Twenty-three.
Q What is your post office address? A Caddo, Indian Territory.
Q How long have you been a resident of the Choctaw Nation? A Raised here.
Q Lived here all your life? A Yes sir.
Q Do you claim rights in the Choctaw Nation as a freedman? A Yes sir.
Q What is the name of your father? A Isaac Townsend.
Q [illegible] A Louisa McDonald.
Q [illegible]
Q Are both your parents descreted people? A Yes sir.
Q Were both of them slaves? A My mother was a slave to a Choctaw. I don't know about my father, he was a poor citizen.
Q What was the name of your mother's master? A The McCoys.
Q They were the family who owned your mother? A Yes sir.
Q Were they Choctaw Indians? A I don't know whether they were Choctaws or Pole Cats; I think they were Choctaws.
Q They were Indians? A Yes sir.
Q Where did they live? A In Kiamichi County, down in there somewhere.
Q Did your mother ever make application before this Commission for enrollment as a freedman of the Choctaw Nation? A Yes sir.
Q Where was your mother living during the war? A I don't know.
Q Do you know where she was living when the slaves were freed? A No sir, I don't.
Q Where was you at the time your mother enrolled as a Choctaw freedman? A I don't know the year, when I was.
Q There was one when she enrolled before the Dawes Commission? A I was at Colbert the last time.
Q Why didn't you appear at that time? A I was sick and couldn't [illegible]
[illegible] be enrolled as a Choctaw [illegible]
[illegible] mother? A Yes sir.
[illegible]
Have [illegible]
[illegible]
Is [illegible] A [illegible]
[illegible]

By Mr. Thompson, Choctaw Commissioner:

Did [illegible] A Yes sir.

Q. She is the same woman who belonged to Doc and Jesse McCoy? A. Yes sir.

By the Commission:

Q. Have you a sister named Ellen Townsend? A. No sir.
Q. Is she any relation of yours? A. That is my aunt.
Q. Is she enrolled as a Cherokee freedman? A. Yes sir.

Harry C. Rainwater being first duly sworn, upon his oath states that he is a stenographer to the Commission to the Five Civilized Tribes and reported in said all proceedings had in the above entitled cause on the 20th day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Harry C. Rainwater

Subscribed and sworn to before me this 20 day of November, 1902.

[illegible]

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Ind. Ter., November 21, 1902.

Original
Choctaw Freedman.

In the matter of the application of Viney Nail for the enrollment of herself and her minor wards, Ed and Virgie Stevens, as Choctaw freedmen.

Viney Nail, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

Q What is your name? A Viney Nail.
Q How old are you? A Twenty three.
Q What is your post office address? A Caddo, Indian Territory.
Q How long have you lived in the Choctaw Nation? A I have been living here ever since I was five years old.
Q Lived here continuously for that length of time? A Yes sir.
Q What was the name of your father? A Andy McDonald.
Q Is he living? A No sir, he is dead.
Q Was he a freedman? A No sir, he was a non citizen.
Q What was the name of your mother? A Jannie McDonald.
Q Is she living? A No sir, she is dead.
Q Was she a freedman? A Yes sir.
Q Of what nation? A Choctaw, I think.
Q Do you claim freedman rights in the Choctaw Nation? A Yes sir.
Q You claim these rights through your mother do you? A Yes sir.
Q When did your mother die? A 22nd of last February.
Q Was she a slave? A I think so, yes sir.
Q What was the name of her master? A I don't know.
Q Was he an Indian? A I don't know, I guess he was.
Q You don't know anything about him? A No sir, I don't know anything about him at all.
Q Where were you born? A I was born down close to Red River, I don't know what they call it.
Q In this Nation? A I don't know sir what they call it.
Q On the other side of Red River or on this side? A On this side I reckon, I don't know.
Q You stated that you had lived in the Choctaw Nation since you were five years old? A I have been here ever since I can remember.
Q Did you live outside of the Nation before that? A Yes sir, we went away and came back.
Q Do you think you were born in the Nation? A Yes sir.
Q Are you married? A Yes sir.
Q Have you any children? A No sir.
Q What is the name of your husband? A Sam Nail.
Q Is he a freedman? A [illegible]
Q Of what Nation? A Choctaw.
Q Is there any one else you wish to enroll besides yourself?
A No sir except these two children.
Q What are the names of these two children? A Ed and Virgie Stevens.
Q How old is Ed? A Seven.
Q And how old is Virgie? A Five.
Q What is the name of the father of these children? A Will Stevens

Q. Was he a freedman? A. Yes sir, non citizen.
Q. What was the name of the mother of these children? A. Lou Stevens [illegible]
Q. Did your sister ever make application for enrollment as a freedman? A. No sir. I don't know she did; my mother enrolled her once, [illegible] last enrollment.
[illegible] of these children dead at the present time? [illegible] children to do with them.
[illegible] children is dead? A. Yes sir.
[illegible] living with you at the present time? A. Yes sir.

--close--

[illegible] Kelly [illegible] with his oath states:
That [illegible] Civilized Tribes [illegible] entitled [illegible] and forgetting [illegible] of

[illegible]

[illegible]

Kelsey Fudd.

[illegible] freedman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CONTRACT, IND. T., TEX., JUNE 11, 1900.

In the matter of the application of Eveline Bryant for herself and her children, Henry Osborne and LeRoy Bryant, as a for enrollment as Choctaw freedmen, said Eveline Bryant being sworn by Acting Chairman Riley, testified as follows:

Q The Commission? A [illegible]
Q What is your name? A Eveline Bryant.
Q What is your age? A About 35.
Q What is your tribe? A Ki Caddo.
Q What is your postoffice address? A Caddo.
Q Where were you born? A I was born in Kiamish county, Choctaw Nation, I believe it was.
Q Have you lived in the Choctaw Nation since that time continuously ever since that time? A No sir.
Q Where have you lived besides the Choctaw Nation? A I stayed over at Paris, Texas, awhile.
Q When did you first leave the Choctaw Nation? A I could not tell you what year it was when I left.
Q About how many years? A I could not tell you.
Q How big a girl were you when you first left here? A A little girl.
Q About 2 or 3 years old probably? A Might have been, I don't [illegible]
Q [illegible] about 4 years old? A I expect I wasabout [illegible]
Q [illegible] left the Choctaw Nation? A Yes.
Q [illegible] A [illegible]
Q How long did you stay out of the Choctaw Nation at that time? A I didn't stay out over two or three years.
Q Did you come back to the Nation from Texas? A Yes.
Q About how long did you live here before leaving here? A I don't [illegible]
Q How long since you have been out of the Choctaw Nation? A I have not been out over for 12 or 13 years.
Q You made application for the enrollment as Choctaw freedmen of yourself, your children Henry Osborne and LeRoy Bryant? A Yes.
Q What is the name of your father? A John Williams.
Q Was he alive or a Choctaw Indian? A I don't know.
Q Was your father living? A I don't know.
Q How long since you saw him? A I was quite small.
Q Have you ever heard of him since that time? A Yes.
Q Where did he live when you heard of him? A Over in Texas.
Q Do you know how long since he has been in the Choctaw Nation? A I don't know.
Q Has he been back since you were a child? A I don't know.
Q What was the name of your mother? A Jeanna McDonald.
Q Is [illegible] A Yes.
Q [illegible] a Choctaw Indian? A I don't know.
Q [illegible] in the Choctaw Nation in 1885 [illegible]
Q [illegible] the Commission [illegible]
Q [illegible] authorities of the Choctaw Nation as a freedman? A I don't know.

The roll of Choctaw Freedmen prepared by the tribal authorities of the Choctaw nation in the year 1885 is examined, and neither the names of Eveline McDonald or Eveline Bryant, or her two children, Oscar Osborne or LeRoy Bryant found thereon.

The roll of Choctaw Freedmen prepared by the Tribal authorities of the Choctaw nation in the year 1885 is examined, and neither the names of Eveline McDonald or Eveline Bryant, or her two children, Oscar Osborne or LeRoy Bryant, found thereon.

Q Was your father ever enrolled as a Choctaw freedman? A I don't know.
Q Was your mother ever enrolled as a Choctaw freedman? A I don't know.

The tribal rolls of 1885 examined and neither the names of John Williams nor Joanna McDonald found thereon.

Q Are you married? A Yes.
Q What is your husband's name? A Russell Bryant.
Q When were you married to Russell Bryant? A I don't know exactly; I think it was five and seven mon. or six years ago.
Q Where were you married to Russell Bryant? A In Gaddo.
Q In Gaddo, Indian Territory? A Yes.
Q How old is Russell Bryant? A I don't know exactly his age.
Q Did you get from him any marriage license or certificate? A No sir.
Q [illegible] A No sir I haven't.
[illegible]
[illegible] That is what he was.
[illegible]
Q How old is Oscar Osborne? A [illegible]
Q How is LeRoy Bryant? A About 1 year and 9 months.
Q Are these children living with you? A Yes.
Q Who is the father of Oscar Osborne? A Cornelius Osborne.
Q Were you married to Cornelius? A No sir.
Q Is there any further statement you desire to make in regard to your case at this time? A No sir.
Q Is your husband a Choctaw ~~[illegible]~~ freedman or a non-citizen? A A non-citizen.

You will be permitted to offer any additional evidence in the form of affidavits or statements which you desire to present. In the event that the application of yourself and your children is denied by this Commission you will be so advised in writing. Any testimony, affidavits or other evidence which may be offered in your case will be forwarded to the Honorable Secretary of the Interior when the rolls of Choctaw freedmen are forwarded to him for approval.

[illegible] Choctaw Freedman.

[illegible] OF THE NATION,
[illegible] TO THE FIVE CIVILIZED TRIBES,
COLLINS, [illegible], TEX., JUNE 11, 1906.

In the matter of the application of Evaline Bryant for herself and children, Peter Bohanna and Lokey Bryant for enrollment as Choctaw Freedmen, Joanna McDonald being sworn testified as follows:

By Mr. Henry Byington, attorney for applicant:

Q What is your name? A Joanna McDonald.
Q What is your postoffice? A Gaddo.
Q What relation is Evaline Bryant, the applicant in this case, to [illegible] daughter.
Q What was your father's name? A John Williams.

Commissioners of the Choctaw Nation request that in consideration of this case the evidence of Peter Maybubby filed in the case of Joanna McDonald against the Choctaw Nation be considered.

By the Commission:

Q Did you ever make application before this time to the Dawes Commission for enrollment as a Choctaw freedman? A No sir.
Q Did anyone else ever make such application in your behalf? A Think so, my mother said she did.
Q [illegible] Indian? A Yes, I think I was.
[illegible] the name of the applicant.
[illegible] married you? What was the minister's name? A I don't know.
Q Do you know where you were married to John Williams? A [illegible] in his home.
Q In the Chickasaw Nation? A Yes.
Q In what place in the Chickasaw Nation? A In Kiowa county.
Q Do you know when you were married to him? A I don't [illegible] exactly the year it was.
Q Was John Williams a Choctaw freedman? A I don't know.
Q Is he living in the Choctaw Nation at this time? A I don't know [illegible] there is he is now.
Q When did you separate from John Williams? A It was been a long many years ago.
Q Did you or did you procure a divorce? A We just agreed to separate.
Q What is the name of your mother? A Emily Fields.
Q Is she living? A Yes.
Q Where does she live? A Gaddo.
Q Was she a slave of a Choctaw Indian? A Yes.
Q To whom did she belong to? A Clark McCoy.
Q What is the name of your father? A Dave McCoy.
Q Is he living? A Yes. [illegible]
Q [illegible] A [illegible]
Q Was the [illegible] a Choctaw? A I don't [illegible]

By Mr. Byington, attorney for applicant:

Q Your father, David McCoy, belonged to a Choctaw? A I don't know.

[illegible] Freedmen.

Brown McDonald, being sworn by Acting Chairman Bixby, says that as a commissioner to the Five Civilized Tribes Commission he presented in full the testimony of Evaline Bryant and Jennie Wehmeyer in the matter of the application of Evaline Bryant et als., for enrollment as Choctaw freedmen, and that the foregoing is a true and complete transcript of his notes.

Brown McDonald

Sworn to and subscribed before me this 18th day of June, 1900, at Colbert, Indian Territory.

Acting Chairman.

B I L L O F D I V O R C E.

THE CHOCTAW NATION,

In Circuit Court of the Third Judicial District, Regular August term 1902, a petition of Evaline Bryant being presented by her attorney in said Court, for a Bill of Divorce, setting forth the facts, etc., and after the Court hearing the testimony in regard to the petition do order and decree that a Bill of Divorce be issued to the applicant, Evaline Bryant.

THEREFORE, I do issue a Bill of Divorce to said applicant, Evaline Bryant forever releasing her from the Banns of Matrimony heretofore existing between Evaline Bryant and Russell Bryant.

Given under my hand and seal of office, this the 10th day of August A. D. 1902.

Wm. Snidge,

Circuit Clerk, 3d District, C. N.

(SEAL) By _____ Deputy.

Indorsed:

Department of the Interior,
Commission to the Five Civilized Tribes.
Filed Nov. 25, 1902.
[illegible] Act[illegible]

No. 32.

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY,) ss: TO ANY PERSON AUTHORIZED BY LAW TO
Central DISTRICT.) SOLEMNIZE MARRIAGE - - GREETING:

You are hereby commanded to solemnize the Rite and publish the BANNS OF MATRIMONY between Mr. T. S. SMITH of CADDO in the Indian Territory, aged 51 years, and Mrs. EVA WILLIAMS of CADDO in the Indian Territory, aged 30 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal, this 23 day of August, A.D. 1902.

(SEAL) E. J. Fannin

W. B. Stone, Deputy. Clerk of the United States Court.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY,) ss.
DISTRICT.)

I, G. W. STUBBLEFIELD, A MINISTER OF THE GOSPEL, do hereby CERTIFY, that on the 28 day of August, A.D. 1902, I did duly and accoding to law, as commanded in the foregoing License, solemnize the Rite and publish the BANNS OF MATRIMONY between the parties therein named.

Witness my hand this 2 day of September, A.D. 1902.

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book B, Page 236.

G. W. Stubblefield,
a minister of the Gospel.

No. 32. CERTIFICATE OF RECORD OF MARRIAGES.

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY,) sct.
Central DISTRICT.)

I, E. J. Fannin, Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the License for and Certificate of the Marriage of Mr. T. S. SMITH and Mrs. EVA WILLIAMS was filed in my office in said Territory and District the 3 day of Sept. A. D. 1902, and duly recorded in Book 1 of Marriage Record, Page 16. WITNESS my hand and seal of said Court at Durant, this 3rd day of Sept., A. D. 1902.

E. J. Fannin, Clerk.

By W. B. Stone, Deputy.

Department of the Interior,
Commission to the Five Civilized Tribes.
Filed Nov. 25, 1902.
Tams Bixby, Acting Chairman.

[illegible] Choctaw Freedman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND. T., TUESDAY, JUNE 11, 1907.

In the matter of the application of JIM TOWNSEND for enrollment as a Choctaw freedman, said Townsend being sworn, testified as follows: (Sworn by Acting Chairman Bixby.)

By the Commission:

Q What is your name? A Jim Townsend.
Q What is your age? A 21.
Q Where do you live? A I live at Caddo.
Q What is your postoffice address? A Caddo.
Q Did you make application for enrollment as a Choctaw freedman? A Yes.
Q Where were you born? A At Caddo.
Q In the Choctaw Nation? A Yes.
Q Have you lived in the Choctaw Nation continuously ever since your birth? A Yes, have never been out of the Choctaw Nation.
Q What is the name of your father? A Isam Townsend.
Q Was your father a slave of a Choctaw Indian? A I don't know.
Q Is your father living? A Yes.
Q Where does he live? A In the Chickasaw Nation.
Q At what point? A West of Caddo in the Choctaw Nation.
Q Close to this postoffice? A Yes.
Q What is the name of your mother? A Ellen Townsend.
Q Is she living? A No sir, she's dead.
Q How long has she been dead? A 4 or 5 years.
Q Was she a slave of a Choctaw Indian? A I don't know.
Q [illegible] in the Choctaw Nation in [illegible]
Q [illegible]
Q [illegible]
Q [illegible] Choctaw freedmen? A I don't know.

The roll of Choctaw freedmen prepared by the Commissioners of the Choctaw Nation in 1885 is examined and the name of the applicant Jim Townsend is not found thereon.

The roll of Choctaw freedmen prepared by the Choctaw and Chickasaw in 1896 is examined and the name of the applicant, Jim Townsend is not found thereon.

Q Do you know whether your father was ever enrolled as a Choctaw freedman? A No sir, I don't know.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in 1885 is examined and the name of Isam Townsend, father of the applicant, is not found thereon.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in 1896 is examined and the name of Isam Townsend, father of the applicant, is not found thereon.

Q What was the name of your mother before she was married? A Ellen Bixby.

Q Was your mother ever enrolled as a Choctaw freedman? A I don't know.

[illegible] Choctaw freedmen prepared by the Commissioners [illegible]

[illegible]

[illegible] Choctaw freedmen prepared by the Commissioners [illegible] examined and the name of Ellen [illegible] mother of the applicant, is not [illegible]

[illegible] Choctaw freedman.
Jim Townsend.

Q Are you married? A No sir.
Q You make application for the enrollment of yourself alone , is that all? A That's all.

By Mr. Tolle:
Q Is Mary Field your grand-mother? A Yes.
Q On your mother's side? A yes.

Commissioner on behalf of Choctaw nation requests that the testimony in the matter of the application of Jeanna McDonald be considered in connection with the application of Jim Townsend.

By the Commissioner:
Q Do you desire to make any additional supplemental statement in regard to your case at this time? A No sir.

You will be permitted to offer any additional evidence in the form of affidavits or statements which you may desire to present. In the event your application for enrollment is denied by this Commission you will be so advised in writing, and any testimony, statements, affidavits or other evidence which may be offered in your case will be forwarded to the Honorable Secretary of the Interior with the request rolls of Choctaw freedmen are forwarded to him for final approval.

(Further testimony to be submitted by Commissioner on behalf of Choctaw Nation at Muskogee.)

Brown McDonald, being duly sworn by Acting Chairman Dixby, says that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony of the above named witness, and that the foregoing is a full, true and complete transcript of his notes.

Brown McDonald

Sworn to and subscribed before me this 12th day of June, 1906, at Colbert, Ind. Ter.

Acting Chairman.

Choctaw freedman's ex.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, IND. TER., JUNE 11, 1900.

In the matter of the application of Sidney Fields for enrollment as a Choctaw freedman, said Sidney Fields being sworn by Acting Chairman Bixby, testified as follows:

By the Commission:

Q What is your name? A Sidney Fields.
Q You make application for enrollment as a Choctaw freedman? A Yes.
Q Where do you live? A I live a mile south of Hohubito.
Q What is your post-office address? A Hohubito.
Q How old are you? A 22 years old.
Q Where were you born? A My parents say I was born in Kiamichi County.
Q Have you lived in the Choctaw Nation continuously ever since your birth? A I have lived here ever since I can recollect it has been my home.
Q When did you first leave the Choctaw Nation? A I could not tell you that.
Q About how long ago? A I have been out of the territory off and on about five, six or seven years off and on visiting.
Q Have you ever made your home anywhere except in the Choctaw Nation? A Yes, I have been in Texas.
Q When were you in Texas? A After freedom.
Q [illegible] When did you first go to Texas? A I guess in [illegible]
Q [illegible] When was your first visit to Texas? A No, not [illegible]
Q How long did you stay in Texas on this trip? A One year.
Q What did you do in Texas? A Just humped around.
Q Did you do any thinking? A I hired out and worked by the month and the day.
Q Do you mean to say that you didn't make that your home? A No, sir.
Q [illegible] A Yes, sir.
Q When did you last leave the Choctaw Nation? A I should say [illegible] the year.
Q How long after that your last visit? A I guess it was about a year after the first of January.
Q [illegible] A Yes.
Q How long did you stay in Arthur City? A About two months.
Q Is that the only time you have been out of the territory? A No, I have been scattered to Paris, Texas, as a witness.
Q How long is it since you have been out of the Choctaw Nation? A I don't know.
Q Have you been out of the Choctaw Nation in the last five years? A I have been in Southern Texas.
Q How long did you stay there? A I went one day and came back [illegible]

in be our masters and I was married at that time.
Q When was that? A When we were first adopted.
Q About 15 years ago? A I think it was worse than that.
Q Do you swear positivelythat your owner was Dock McCoy or Clark McCoy? A He is the man that claimed that he owned and he is the man that put our witness and put us in on the roll in '65 when adopted by the Choctaw Nation.
Q Were Dock and John McCoy and Jim Spring Choctaw Indians? A Yes, that's what they claimed to be.
Q Do you remember when you were freed? A No sir.
Q You were too small to know when you were freed? A I guess I was about 8 years old.
Q Do you remember when you were freed? A I can surely recollect when they said we were from under bondage.
Q Where were you living at that time? A Doaksville, Kiamish county.
Did you leave the Choctaw Nation within five years from the time you were freed? A I cannot tell you-- I don't remember.
Q Did you leave the Choctaw Nation before you were a grown woman? A I went there to visit before I was grown and stayed a year.
Q Can you tell about how old you was were? A No sir.
Q Do you think it was within a year after you were freed that you went to Texas? A I think so-- I wont be positive.
Q What was the name of your father? A Sawes Fields.
Q Was your father the slave of a Choctaw Indian? A No sir, he was a [illegible]
Q Do your relatives now living? A Yes.
Q [illegible] A [illegible] Indian Territory.
Q [illegible] A [illegible] McCoy-- she is [illegible]
Q Where was [illegible]
Q Was she the slave of a Choctaw Indian? A That is what they say.
Q Do you know of your own knowledge whether she was a slave of a Choctaw Indian? A No sir, not to my knowledge.
Q Were you in the Choctaw Nation in September, 1865? A Yes.
Q Do you swear positively that you were in the Choctaw Nation in September, 1865? A Yes.
Q At what point in the Choctaw Nation did you live in September, 1865? A I could not tell you. I stayed in Pushla Valley [illegible] at that time. I do not know but I was here, but know that point I can't tell you.
Q Then you swear that you were here in September, 1865, but you do not know in what point you used to live? A No sir, I don't know.
Q Do you know whether your mother was in the Choctaw Nation in September, 1865? A No sir, I don't know.
Q Have you ever been enrolled by the authorities of the Choctaw Nation as a Choctaw freedman? A Yes.
Q When? A I don't know the day of the month, but it's there.

The roll of Choctaw freedmen prepared by the authorities [illegible] September, 1885, is examined and the name [illegible]

[illegible] freedman by the Choc-

[illegible] the Choctaw authorities as a

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in 1896 is examined and the name of Emily Fields appears thereon on page 34, same being 1154, shown to have been the slave of Jan Clark (?).

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in 1896 is examined and the name of Emily Fields appears thereon, page 32, same being number 1482, Elmo county.

Q Are you married? A Yes.
Q What is the name of your wife? A Mattie Fields.
Q What was her name before she was married? A Mattie Anderson.
Q How old is Mattie? A Shade about 26 years old.
Q Is she a Choctaw freedman? A No sir.
Q Is she a citizen of the United States? A Yes.
Q When were you married to Mattie Anderson, your present wife? A I cannot say.
Q About when? A I guess it has been about 18 years ago.
Q How old was she when you were married to her? A I don't know.
Q Was she a grown woman? A She was about 16 years old.
Q Then she must be older than 28 years old now? A Yes, I suppose she is now.
Q How old do you think she is now? A She is about 28 years old.
Q Where were you married to her? A In Caddo.
Q Who married you? A Parson Smith.
Q A minister of the gospel? A Yes.
Q Who was present? A Mary Vulvin (Selvin?) and Mary Williams.
Q Have you your marriage license or certificate? A I haven't got them with me. They are home at Caddo.
Q Have you any children? A Yes.
Q How many children have you? A The eldest one is Elsie [illegible]
Q How old is the next one? A [illegible] 16 years old.
Q What's the next one? A Wilburn.
Q How old is Wilburn? A [illegible]
Q What's the next one? A [illegible] years old.
Q These children are all living? A Yes.
Q Are they living with you at home? A Yes.
Q Is your present wife, Mattie, the mother of all these children? A Yes.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in the year 1896, is examined, and the name of Elsie Fields, daughter of the applicant, found thereon, page 36, being No. 1154. The names of the other children of the applicant are not found thereon.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in the year, 1896, is examined and neither the name of applicant, Sidney Fields, nor those of his children are found thereon.

Q Do you make application for the enrollment of yourself and your children, Elsie, Sarah, Marion, Wilburn and Mary, for enrollment as Choctaw freedmen? A Yes.
Q [illegible] A No sir.
Q [illegible] to you.
Q [illegible] living [illegible] Choctaw Nation, and have made [illegible]
Q [illegible] of your kinship in case of [illegible] other claim. Further evidence to be [illegible]

Chickasaw Freedmen, D-C2.
Billing, Fields-4.

You will be permitted to furnish additional evidence in the form of affidavits or statements which you may desire to present. In the event that the Commission denies the application of yourself or any of the members of your family for whom you have made application, you will be so advised in writing, and any statements, testimony or other evidence which may be offered in your case, will be forwarded to the Honorable Secretary of the Interior when the rolls of Chickasaw Freedmen are forwarded to him for final approval.

Brown McDonald, being sworn by Acting Chairman Bixby, says that he is Stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony of the above named witness, and that the foregoing is a full, true and correct transcription of his notes.

Brown McDonald

Sworn to and subscribed before me this 15th day of June, 1900.

Acting Chairman.

No. 1161.

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY,) ss: TO ANY PERSON AUTHORIZED BY LAW TO
Central DISTRICT.) SOLEMNIZE MARRIAGE - - GREETING:

You are hereby commanded to solemnize the Rite and publish the BANNS OF MATRIMONY between Mr. ABNEY GARDNER of BOKCHITO in the Indian Territory, aged 24 years, and M__ CLARA FIELDS of CADDO in the Indian Territory, aged 19 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal, this 8th day of August, A.D. 1901

E. J. Fannin

Wm. Reynolds, Deputy. Clerk of the United States Court.

CERTIFICATE OF MARRIAGE.

[illegible] TERRITORY,) ss: I, T. S. SMITH, a MINISTER TO THE
DISTRICT.)

MISSION CHURCH do hereby CERTIFY, that on the 8 day of Aug. A. D. 1901, I did duly and according to law, as commanded in the foregoing License solemnize the Rite and publish the BANNS OF MATRIMONY between the parties therein named.

Witness my hand this 8 day of Aug., A. D. 1901.

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book A, Page 33.

Thomas Smith,
Minister of Baptist Mission Church.

No. 1161. CERTIFICATE OF RECORD OF MARRIAGES.

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY,) sct:
Central DISTRICT.)

I, E. J. Fannin, Clerk of the United States Court in the Indian Terrifory and District aforesaid, do hereby CERTIFY that the License for and Certificate of the Marriage of Mr. ABNEY GARDNER and M__ CLARA FIELDS was filed in my office in said Territory and District the 10 day of Aug. A. D. 1901, and duly recorded in Book 1 of Marriage Record, Page 181. WITNESS my hand and seal of said Court at Atoka, this 10 day of August, A. D. 1901.

E. J. Fannin, Clerk.

By Wm. H. Reynolds, Deputy.

Department of the Interior,
Commission to the Five Civilized Tribes,
Filed Nov. 19, 1902.
Tams Bixby, Acting Chairman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CULBERT, IND. T., JUNE 11, 1900.

In the matter of the application for enrollment as a Choctaw freedman of Rena Farris, said Rena Farris being sworn by Acting Chairman Bixby, testified:

Q Please state your name? A Rena Farris.
Q You make application for enrollment as a Choctaw freedman? A Yes.
Q Have you ever appeared before this Commission as an applicant for enrollment as a Choctaw freedman before? A No sir.
Q What is your age? A I don't know.
Q About what? Were you born before the war or after the war? After the slaves were freed? A Yes.
Q About how long after were you born? A I don't know.
Q Do you think you are about 30 years old? A I might be-- I don't know.
Q What is your postoffice address? A Bokchito.
Q Where do you live? A I live down there.
Q Near Bokchito in the Choctaw Nation? A yes.
Q Where were you born? A Kiamich county in the Choctaw Nation.
Q Have you lived in the Choctaw Nation ever since your birth? A Yes.
Q You never were out of the Choctaw Nation? A No sir.
Q You were born since the slaves were freed? A yes.
Q What was the name of your father? A Eugene Fields.
Q Was your father the slave of a Choctaw Indian? A I don't know.
Q Is your father now living? A Yes.
Q Where does he live? A Gadde, Choctaw Nation.
Q What is your mother's name? A Emiline Fields? A
Q Is she living? A Yes.
Q Where does she live? A Gadde.
Q Was she the slave of a Choctaw Indian? A yes.
Q What was the name of her master? A Clark McCoy.
Q How do you know that she was the slave of that Clark McCoy? A That was what my mother told me.
Q Was your mother living in the Choctaw Nation in September 1896, or do you know? A I don't know.
Q Do you know whether your mother was living in the Choctaw Nation in September, 1896? A I don't know.
Q Have you ever been enrolled by the authorities of the Choctaw Nation as a Choctaw freedman? A I have been adopted. I reckon that is the same thing.
Q When were you adopted? A When they were around adopting people- I was adopted then.
Q How long ago? A I don't know.
Q Did you ever go by the name of Williams? A Yes.
Q How did you come to go by the name of Williams? A I was married to a man by the name of Williams.

The roll of Choctaw freedmen prepared by the Choctaw authorities in the year 1885 examined and the name of Irrena Williams appears thereon on page 36, being 1165, the records showing her to be the slave of John S. McCoy.

The roll of Choctaw freedmen prepared by authority of the

The rolls of Choctaw Freedmen prepared by the tribal authorities of the Choctaw Nation in 1885 examined and the name of [illegible] Fields not found thereon.

Q Was your mother ever enrolled as a Choctaw freedman? A Yes, at Caddo.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation of the year 1885 examined and the name of [illegible] appears thereon, page 38, being No. 1154, shown to have been the [illegible].

The roll of Choctaw freedmen prepared by the authorities of the [illegible] in the year [illegible] examined and the name of [illegible] County, being number 14833 [illegible].

[illegible] husband? A My first husband was George Reed.
[illegible] children by [illegible]? A I had one child by him.
[illegible] living? A No sir, it is dead.
What is the name of your second husband? A Jim Williams.
Have you had any children by Jim Williams? A No sir.
Is he a citizen? A Yes.
And is he living? A No sir he is dead.
Is your first husband living or dead? A He is living. We are divorced.
Have you been married since your marriage to Williams? A Yes, I have been married a third time.
What was the name of your third husband? A Turner Parks.
Is he living? A Yes.
[illegible]

[illegible] will be permitted to offer any additional evidence in the form of affidavits or statements which you may desire to present. In the event that the Commission denies your application for enrollment as a Choctaw freedman you will be so advised in writing. Any testimony, statements or affidavits or other evidence which you may offer in your case will be forwarded to the Honorable Secretary of the Interior when the Rolls of Choctaw freedmen are forwarded to him for final approval.

Statement by Mr. Tolle:

The Choctaw Nation would ask that the statement of Peter Murrubby made in the case of Jeanne [illegible] in this date, may be made applicable to this case. Further evidence will be furnished at Muskogee by the Choctaw Nation.

Brown McDonald, being sworn by Acting Chairman Bixby, says that as Stenographer to the Commission to the Five Civilized Tribes, he has reported in full the testimony of the above named witness, and that the foregoing is a true, full and correct transcription of his notes.

Choctaw Freedman D-84.

In the matter of the application of Sterling Williams for enrollment as a Choctaw freedman, said Williams being sworn by Acting Chairman Bixby, testified:

By the Commission?

Q What is your name? A Sterling Williams.
Q You make application for enrollment as a Choctaw freedman? A Yes.
Q What is your age? A 25.
Q What is your postoffice address? A Bokchito.
Q Where do you now live? A Half a mile south of Bokchito.
Q Where were you born? A In Kiamish county, Choctaw Nation.
Q Have you lived in the Choctaw Nation continuously ever since your birth? A Yes.
Q You never have been out of the Choctaw Nation? Not longer than on a visit.
Q How many times have you been out on a visit? A I have worked on a section and have been backwards and forwards to Denison.
Q This is all you have been out of the Nation? A Yes.
Q Have you been out of the Choctaw Nation in the last three years? A Yes, over to Ragsdale, Texas.
Q How long did you stay there? A About half an hour.
Q That is the only time you have been out of the Choctaw Nation in the last three years? A Yes.
Q What is the name of your father? A Lewis Williams.
Q Was he the slave of a Choctaw Indian? A I don't know.
Q Is he now living? A No sir.
Q How long has he been dead? A I don't know.
Q What is your mother's name? A Emeline Fields.
Q Is your mother now living? A Yes.
Q Where does she live? A Gadde.
Q Was she the slave of a Choctaw Indian? A She says she was.
Q Do you know the name of your mother's master? A Clark McCoy I believe.
Q How did you know her master's name was Clark McCoy? A She told me so.
Q Do you know whether your father was in the Choctaw Nation in September, 1865? A No sir, I don't know.
Q Do you know whether your mother was in the Choctaw Nation in September, 1865? A I don't know.
Q Have you ever been enrolled by the authorities of the Choctaw Nation as a Choctaw freedman? A Yes.
Q When? A I don't know exactly— about two years I reckon. It has been about 18 months.
Q Who enrolled you ? A Mr. Joe Bright and Mr. Byington at Gaddo.
Q You think that has been about a year and a half ago? A Yes.
Q Were you ever enrolled by the Choctaw tribal authorities before that? A My mother had me enrolled when we were first adopted.

The roll of Choctaw freedmen for the 2nd district prepared by the authorities of the Choctaw Nation in the year 1896 is examined and the name of Sterlin Fields appears to be the name of Emeline Fields appears thereon on page 36 being No. 1133.

The roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in the year 1896 as is examined and neither the names of Sterling Fields or Sterling Williams appears thereon.

The roll of Choctaw freedmen prepared by the tribal authorities of the Choctaw Nation in the year 1896 is examined and the

name of Lewis Williams is not found thereon.
Was your mother ever enrolled as a Choctaw freedman ? A Yes.
In what county and district? A Blue county, Choctaw Nation.
Roll of Choctaw freedmen prepared by the authorities of the Choctaw Nation in the year 1885 is examined and the name of Nelly Fields shown to have been the slave of John Clark Maxey appears on page 36 thereof, being No. 1154.
Roll of Choctaw freedmen prepared by the Commissioners of the Choctaw Nation in the year 1896, is examined and the name of Nelly Fields of Blue county appears thereon being No. 1462.
Are you married? A Yes.
What is the name of your wife? A Nattie Williams.
How old was she when you married her? A Nattie Carson.
How old is she? A About 24.
Is she a Choctaw freedman? A No sir.
Was she a citizen of the United States? A Yes.
When were you married? A About three years ago last March.
Where were you married? A Wadde.
Who performed the ceremony? A Tom Smith.
Is he a minister of the gospel? A Yes.
Have you your marriage license and certificate? A I have them at home.
Is there any one present here who was at your marriage? A Yes.
Have you any children? A Yes.
Do you make application for their enrollment? A Yes.
What are the names of your children and their ages? A Lewis Williams 2 year and 7 months old; Virdie Williams 7 months old.
Are all the children you have? A Yes.
Do the children are living at home with you? A One of them is living with the mother. I have been married twice.
What was your name? A Nattie Williams.
Living at your home? A No sir. I am [illegible] the mother of your second child? A Drusilla Williams.
Were you ever married to Drusilla Williams? A Yes.
When were you married to Drusilla Williams? A Near to four years ago.
Where were you married to Drusilla Williams? A About two miles this side of Wadde by Judge Nakarsum.
Who was present at your marriage? A Alice Gardner and Isabell— don't know her last name.
Who married you? A Wakee Nakarsum. He was an Indian Judge.
Did you marry under United States law or Choctaw? A Choctaw.
Did you marry your second wife under United States law or Choctaw law? A United States law.
Have you the original marriage license or certificate or certified copy of the marriage license and certificate covering your marriage to your first wife, Drusilla Williams? A No sir.
What has become of it? A Never did get any.
Is Drusilla Williams a citizen of the Choctaw Nation? A Yes, a Choctaw freedman.
Do you know whether your first wife ever made application to this Commission for enrollment as a Choctaw freedman? A Her daddy did.
Have you ever secured a divorce from your first wife? A Yes.
When? A I don't know exactly; it had been about 3 or 4 years

[illegible] child is a child by your first wife? A Yes.
[illegible] from the time you separated from your first wife

Chickasaw enrollment- D-56.
Sterling Williams-3

that your child Virdie Williams was born to her? A Near about thirty years.

Q You had prior to that time secured a divorce from your first wife and married your second wife? A Yes.

Your application for the enrollment of Virdie Williams, whom you claim to be your child by Brucilla Williams, is refused upon the reason that the record in this case shows that this child was not born to her in Laurel Wallock. The application for the enrollment of this child should be made by its mother, Brucilla Williams.

Q Do you have any additional statements in regard to your case that you desire to make at this time? A No sir, only that I have been living and a citizen of the Chickasaw Nation ever since I have been born.

You will be permitted to offer any additional evidence in the form of affidavits or evidence which you may desire to present in support of your case. In the event your application, and that of your child, Lewis Williams, is denied by this Commission you will be so advised by the Commission in writing, and any testimony, additional affidavits or other testimony you may offer in this case will be forwarded to the Honorable Secretary of the Interior for rolls of Chickasaw freedmen and forwarded to him for final approval.

[illegible] testimony of Sterling in the case of Jerry McDonald et al., by made applicable to this case, [illegible] testimony on the part of the Chickasaw Nation to be filed at Muskogee.

Brown McDonald, being sworn by Acting Chairman Bixby, says that as Stenographer to the Commission to the Five Civilized Tribes he reported in full the testimony of Sterling Williams and Mary Bolvin, and that the foregoing is a true and correct transcript of his notes.

Brown McDonald

Sworn to and subscribed before me this 14th day of June, 1900, at Colbert, Indian territory.

Acting Chairman.

[illegible] 1-41.

[illegible]

[illegible] TRIAL,

[illegible] June 11, 1906.

[illegible] of Sterling Williams for [illegible] being sworn by Commis-

[illegible]

[illegible] Dodds.

[illegible] A All his life.

[illegible] A Yes.

[illegible] with his wife, Hattie?

[illegible] A Hattie Garson.

[illegible] to Hattie Garson? A Not

[illegible] years.

[illegible] Sterling Williams and Hattie

[illegible] At my house.

[illegible] A I

[illegible] Chancellor.

[illegible]

[illegible] I don't know exact-

[illegible] Williams.

IN RE
Application for Enrollment of
INFANT CHILD

Louis Williams

as a citizen of

Choctaw Nation

Approved DEC 6 1904 190

Tams Bixby
Commissioner.

Proof of birth of child
listed for enrollment June
11, 1900.

Department of the Interior,
Commission to the Five Civilized Tribes.
Filed Dec. 6, 1904.
Tams Bixby, Acting Chairman.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Louis Williams (Give full name of child.), born on the 21 day of Sept., 1898

Name of Father: Sterling Williams a citizen of the Freedman Choctaw Nation.

Name of Mother: Hattie Williams a citizen of the U.S. Nation.

Postoffice Bokchito

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Central DISTRICT.

I, Hattie Williams, on oath state that I am 25 years of age and a citizen by Birth, of the U. S. Nation; that I am the lawful wife of Sterling Williams, who is ~~CITIZEN~~ Freedman by birth, of the Choctaw Nation; that a male (Male or Female.) child was born to me on 21 day of Sept, 1898; that said child has been named Louis Williams, and is now living.

Hattie Williams

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 22 day of Dec., 190 2.

R. F. Moore
Notary Public.

(SEAL)

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Central DISTRICT.

I, Mattie Fields, a Midwife, on oath state that I attended on Mrs. Hattie Williams, wife of Sterling Williams on the 21 day of Sept., 1898; that there was born to her on said date a male (Male or Female.) child; that said child is still living and is said to have been named Louis Williams.

Mattie (her x mark) Fields

WITNESSES TO MARK:

(Must be Two Witnesses.)
Wm. W. Steakly
R. F. Moore

Subscribed and sworn to before me this 22 day of Dec., 190 2.

R. F. Moore
Notary Public.

(SEAL)

Choctaw Freedman D-85 .

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COWBERT, IND/ TER/ JUNE 12, 1900.

In the matter of the application of Charley Fields for enrollment as a Choctaw freedman, said Charley Fields being sworn by Commissioner Needles testified as follows:

Q What is your name? A Charley Fields.
Q How old are you? A 21.
Q Where do you live? A Caddo.
Q Where were you born? A Blue county in the Choctaw Nation.
Q What was your father's name? A Gene Fields.
Q Was he a slave? A I don't know.
Q What is your mother's name? A Emeline Fields.
Q She was a slave? A Yes.
Q Whom did she belong to? A I don't know.
Q How do you know she was a slave? A. Because she said she was.
Q Where is she? A Caddo.
Q Are you married? A yes
Q Is your wife a state woman? A yes.
Q Have you any certificate of marriage? A yes.
Q Have you any children? A yes, one.
Q Do you want that child enrolled? A Yes.
Q Where have you lived all your life? A Caddo in Blue county.
Q Have you been recognized as a citizen of the Choctaw Nation? A Yes.
Q Do you know whether you are on the rolls or not? A Yes, I am.
Q Do you know what year? A No sir, I don't recollect.
Q What is the name of your child? A Clifton Fields.
Q How old is he? A One year and ten months.
Q I believe you state your wife was a non-citizen? A Yes.
Q What is your wife's name? A Biddy Fields.
Q What was her name before you married her? A Biddy Clinton.

Upon examination of the Choctaw freedman authenticated rolls of 1896 the name of Charley Fields is found No. 1451, 19 years of age, enrolled in Blue county

This testimony will be filed with the other testimony taken in this case and the Commission will decide upon your application when the final rolls are made. If you are not enrolled by the Commission you will be notified by mail. The application papers in this case will be sent to the Honorable Secretary of the Interior for his investigation. You may file any other testimony you care to file in this case before the final rolls are sent to the Secretary.

By Mr. Tolle:

The Choctaw Nation would ask that the testimony of Peter Maytubby in the matter of the application of Joanna McDonald be made applicable to this case. Other testimony on the part of the Choctaw nation will be produced at Muskogee.

Brown McDonald being sworn by Acting Chairman Bixby, says that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony of the above named witness, and the foregoing is a full and complete transcription of his notes.

Brown McDonald
Stenographer to the Commission, June, 1900.

MARRIAGE LICENSE.

No. 539.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,) ss. TO ANY PERSON AUTHORIZED BY LAW TO
CENTRAL DISTRICT.) SOLEMNIZE MARRIAGE - - GREETING:

You are hereby commanded to solemnize the Rite and publish the BANS OF MATRIMONY between Mr. CHARLIE FIELDS of [illegible] in the Indian Territory, aged 21 years, and Miss BIDDY CLENTON of CADDO in the Indian Territory, aged 20 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS My hand and official seal, this 30th day of Aug.A.D. 1899.

(SEAL) E. J. Fannin

D. N. Robb, Deputy. Clerk of the United States Court.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,) ss. I, THOS. S. SMITH an ordained
CENTRAL DISTRICT.)

MINISTER of the GOSPEL do hereby CERTIFY, that on the 30 day of August A. D. 1899, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the BANS OF MATRIMONY between the Parties therein named.

Witness my hand this 30th day of August A. D. 1899.

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book A, Page 33.

Thos. S. Smith,
a Minister of the Gospel.

No. 539. CERTIFICATE OF RECORD OF MARRIAGES.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,) sct: I, E. J. Fannin, Clerk of the United States Court in the Indian Territory and District aforesaid do
CENTRAL DISTRICT.) hereby CERTIFY that the License for and Certificate of the Marriage of Mr. CHARLIE FIELDS and Miss BIDDY CLENTON was filed in my office in said Territory and District the 2 day of Sept. A. D. 1899 and duly recorded in Book One of Marriage Record, Page 270. WITNESS my hand and seal of said Court at Atoka, this 5 day of Sept. A. D. 1899.

E. J. Fannin, Clerk

[illegible] of the Interior
[illegible] Fees Signed and [illegible]
[illegible]

IN RE
Application for Enrollment of
INFANT CHILD

Willy Fields
as a citizen of

Choctaw Nation

Approved FEB 2 1903 190

Tams Bixby
Commissioner.

Proof of birth of child for whom application was made Dec. 24, 1902.

Department of the Interior,
Commission to the Five Civilized Tribes.
Filed Feb. 2, 1903.
Tams Bixby, Acting Chairman.

BIRTH AFFIDAVIT.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN THE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Willy Fields (Give full name of child), born on the 21 day of April, 1901

Name of Father: Charley Fields a citizen of the Choctaw Nation.

Name of Mother: Biddie Fields a citizen of the Choctaw Nation.

Postoffice Caddo I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Cent DISTRICT.

I, Biddie Fields, on oath state that I am years of age and a citizen by marriage, of the Choctaw Nation; that I am the lawful wife of Charley Field, who is a citizen, by Freedman, of the Choctaw Nation; that a female (Male or Female.) child was born to me on 21 day of April, 1901; that said child has been named Willy Fields, and is now living.

Biddie Fields

WITNESSES TO MARK:

(State in Two Witnesses)

Subscribed and sworn to before me this 8th day of January, 1903

J. L. Rappolee
Notary Public.

(SEAL)

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Cent. DISTRICT.

I, Sue Fields, a midwife, on oath state that I attended on Mrs. Biddie Fields, wife of Charley Fields on the 21 day of April, 1901; that there was born to her on said date a female (Male or Female.) child, that said child is now living and is said to be named Willy Fields.

Sue Fields

WITNESSES TO MARK:

(SEAL)

Choctaw Freedmen D-85.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MULBERRY, IND. TER., JUNE 11, 1900.

In the matter of the application of Madison Fields for enrollment as a Choctaw freedman, said Madison Fields being sworn by [illegible] Commissioner Needles testified:

By the Commissioner:

Q What is your name? A Madison Fields.
Q How old are you? A 24 or 25 I think.
Q Where do you live? A I live in Caddo.
Q Where were you born? A Kiamish county, Choctaw Nation.
Q What was your mother's name? A Emeline Fields.
Q Was she a Negro? A Yes.
Q When did she belong to? A She said she belonged to Dock McCoy.
Q What was Dock McCoy? A I suppose he would be Choctaw.
Q Was he a Choctaw Indian? A Yes.
Q Where have you lived since you were born? A When I was born in Kiamish county we moved from Kiamish to Caddo.
Q Have you always lived in the Territory? A Yes.
Q What is your wife's name? A Francesa.
Q Is she a Choctaw freedman or a state woman? A Non-citizen.
Q Have you any evidence of your marriage? A They have it at [illegible] home.
Q Have you any children? A I have only one.
Q What is its name? A Emma.
Q How old is she? A Going on 7 years old.
Q [illegible] with you? A Yes.
Q [illegible] any other the rolls of the Choctaw Nation? A I think [illegible]
Q [illegible] A Frances Mallory.
Q [illegible] offer in regard to your [illegible] Choctaw freedman [illegible] sir.
Q Did you ever know any other Madison [illegible] A No, not as I know of. I know lots of Fields.
Q What was your father's name? A Eugenia Fields.

By Mr. Tolle:

The Choctaw Nation would ask that the statement of Peter Maytubby in the case of Jeanna McDonald and his former statement in the case of Emily Fields be made applicable to this case and that of all the children of Emily Fields. Further testimony to be prepared and filed at Muskogee.

By the Commissioner:

[illegible] will be filed on a docketed card and the testimony that [illegible] and that the Choctaw Nation has taken, contesting your [illegible] in consideration, and upon the Secretary of the Interior [illegible] decision of this Commission in your case will be sent you by [illegible] and it will be necessary for you to forward to the Commission your marriage certificate.

[illegible] of the authenticated rolls of the Choctaw [illegible] 22 years of age, and [illegible] unable to determine [illegible] Madison [illegible] given by the applicant [illegible] Fields as being upon [illegible]

Q [illegible] your mother, Emily Fields, lived in the Territory [illegible] or not? A I could not tell you anything

[illegible]

Frank McDonald, being sworn by Acting Chairman Bixby, says that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony of the witness, Madison Fields, and that the foregoing is a full, true and correct transcript of his notes.

Frank McDonald

Sworn to and subscribed before me this 16th day of June, 1900, at Colbert, Indian Territory.

Acting Chairman.

Survey Examiner [illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, IND. TERR., JUNE 12, 1900.

In the matter of the application of Alexander Fields for enrollment as a Choctaw freedman, said Alexander Fields being sworn by Examiner Needles testified as follows:

[illegible]
[illegible] your age? A About 28 or 30.
What is your mother's name? A Emeline Fields.
[illegible] living? A I suppose so.
Where did she belong to? A Buck McCoy.
How do you know she belonged to Buck McCoy? A That is what she said.
[illegible] Buck McCoy? A He was a half breed Choctaw Indian.
[illegible] you lived ever since you were born? A Lived in Kiamichi and since in this country in the Indian territory.
Always lived here? A Yes.
Do you know whether you are among any of the rolls of the Choctaw Nation anywhere? A I don't know -- could not tell you. My mother said I was on the rolls.
Are you married? A Yes.
Is your wife living? A No sir.
Have you any thoughts of marriage? A No sir.
[illegible] Yes.
[illegible] Yes.

The Choctaw Nation would request that the statement made by Peter Smythe in the matter of the application of [illegible], and his former statement in the case of the application of Emily Fields, mother of the applicant, be made applicable to this case. Additional testimony will be preserved and presented at hearings.

Upon examination of the authenticated rolls of the Choctaw Nation [illegible] the name of Alexander Fields [illegible] Fields as to your child [illegible] well.

[illegible] was married the first time [illegible]
[illegible] Yes sir.
[illegible] you didn't go to enroll the first time? A Yes.
[illegible]
[illegible] A [illegible]
[illegible] A [illegible] there, and [illegible] it.
[illegible] A No sir.

[illegible]

[illegible] being sworn by [illegible], says that he understands the translation to the Five Civilized Tribes, he interpreted in full the testimony of the witness Alexander Fields, and that the foregoing is a true, full and correct transcript of his [illegible].

[illegible]

Sworn to and subscribed before me this 15th day of June, 1908, at [illegible], Indian Territory.

[illegible]

Choctaw Freedman D-88.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
COLBERT, IND., TER., JUNE 12, 1900.

In the matter of the application for enrollment of Horace Fields as a Choctaw Freedman, said Horace Fields being sworn by Commissioner Needles, testified as follows:

By the Commission:

Your name is Horace Fields? A Yes.
How old are you? A About 23.
Where do you live? A Caddo.
Indian territory? A Yes.
Where were you born? A In the Choctaw Nation.
Where have you lived ever since you were born? A In the Choctaw Nation.
What is your mother's name? A Emeline Fields.
She was a slave? A I don't know.
Do you know that no person is entitled to enrollment except slaves and the children of slaves? A I don't know.
By what right do you expect to be enrolled here? A My mother said she was a slave.
Where does she live? A At Caddo.
Is she here? A No sir.
Is your name upon the Choctaw roll? A Yes.
What year? A I don't know.
On what book? A The Choctaw roll book.
You don't know whether your mother was a slave or not? A No sir.
You do not know whether she is a citizen or not? A No sir, I know she says she is a citizen.
Did you ever appear before the Dawes Commission before for enrollment? A No sir.
How old? A I was sick when they was at Caddo.
Upon examination by the commission your name is found upon the authenticated Choctaw rolls of 1885. Your citizenship is contested by Choctaw Nation consequently you will be placed upon a doubtful card, and the testimony that you have given today and any future statements, affidavits or proofs that you may see fit to file will be forwarded to the Secretary of the Interior when the rolls are forwarded to him for approval. You will be notified of the decision of this Commission by mail.

The Choctaw Nation would request that the statement of Martha M. the case of Jenny McDonald, also the testimony in the case of Emily Fields, be made permanent here. Other testimony will be furnished and filed at this Commission by the Choctaw nation.

What is your father's name? A Sonie Fields.
Is he living? A No sir.
Are you married? A No sir.

Jenny McDonald being sworn by Acting Chairman Riley, says that [illegible]

[illegible] before me this [illegible] day of June 1900.

F R E E D M A N

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I.T., August 22, 1899.

In the matter of the enrollment of Mary Belvin, said Belvin being sworn by Commissioner Needles and examined by him et als., testified:

I have been married; my husband is dead. My mother's name was Emeline Fields; She belonged to John McCoy and Dr. McCoy, Choctaws. I have been living in the Nation all my life.

Peter Matubby being sworn testified:

That he knew Emily Field and that she was the slave of Johnand Clark McCoy and was sold to old man John Carson in Texas away before the war, and after the war she came back.

(Enrollment refused.)

Rena Paris being sworn testified:

I knew Mose Belvin. I know that this applicant was married to Mose Belvin because I was there when they married. She lived with Mose Belvin until he died. I know her children. She had three in all and one is dead. (Mose Belvin, the father of these two children, belonged to Charley Vincent, who is a Choctaw.)

DEPARTMENT OF THE INTERIOR, COMMISSION TO THE FIVE CIVILIZED TRIBES.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct transcription of my stenographic notes.

E. McDonald.

17-D-128.

Muskogee, Indian Territory, March 5, 1906.

Emily Fields,

Ada, Indian Territory.

Dear Madam:

In the matter of the application for the enrollment of yourself and your descendants as Choctaw freedmen, you are advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory on Thursday, April 5, 1906, at eleven o'clock a.m., hear the testimony of such witnesses as may be introduced tending to establish your rights to enrollment as a Choctaw freedman.

Respectfully,

Signed Tas. C. Beall

Acting Commissioner.

17-D-172.

Muskogee, Indian Territory, March 5, 1906.

Viney Nail,

Caddo, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw Freedmen, with which case the application for the enrollment of your father and your nephew and niece Ed and Virgie Stevens as Choctaw Freedmen has been consolidated.

Respectfully,

Signed, Tas. O. Beall,

Acting Commissioner.

17-D-169.

Muskogee, Indian Territory, March 5, 1906.

Robert Townsend,

Cadao, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen, in which case the application for your enrollment as a Choctaw freedman has been consolidated.

Respectfully,

Signed Wm. O. Beall,

Acting Commissioner.

14-D-79.

Muskogee, Indian Territory, March 5, 1906.

Lennie McDonald,

Soynton, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen, in which case the application for the enrollment of yourself and your brother and sister, Clement and Paradee McDonald as Choctaw freedmen has been consolidated.

Respectfully,

[illegible] Beall,

Acting Commissioner.

14-1990.

Muskogee, Indian Territory, March 5, 1906.

Evaline Bryant,

Caddo, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen with which case the application for your enrollment and the enrollment of your children Oscar, Osborne and Leroy Bryant as Choctaw freedmen has been consolidated.

Respectfully,

Signed, Tams O. Bell,

Acting Commissioner.

13-D-81

Muskogee, Indian Territory, March 5, 1905.

Jim Townsend,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 6, 1905, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen with which case the application for your enrollment as a Choctaw freedman has been consolidated.

Respectfully,

Signed Wm. O. Beall,

Acting Commissioner.

E-7-D-82.

Muskogee, Indian Territory, March 5, 1906.

Sidney Fields,

Calco, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen, with which case the application for the enrollment of yourself and your five children Clara, Carrie, Sophia, William and Mary Fields as Choctaw freedmen has been consolidated.

Respectfully,

Tams Bixby,

Acting Commissioner.

17-D- 83.

Muskogee, Indian Territory, March 5, 1906.

Mena Paris,

Borchito, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Black, and her descendants as Choctaw freedmen which case the application for your enrollment as a Choctaw freedman has been consolidated.

Respectfully,

(Signed) Wm. O. Beall,

Acting Commissioner.

17-D-84.

Muskogee, Indian Territory, March 5, 1906.

Sterling Williams,

Bokchito, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen with which case the application for the enrollment of yourself and your child Lewis Williams as Choctaw freedmen has been consolidated.

Respectfully,

Signed Tom D. Sears,

Acting Commissioner.

170D-85.

Muskogee, Indian Territory, March 5, 1906.

Charley Fields,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields, and her descendants as Choctaw freedmen with which case the application for the enrollment of yourself and your children Clifton and Willy Fields as Choctaw freedmen has been consolidated.

Respectfully,

Signed Wm. O. Beall,

Acting Commissioner.

17-D-86.

Muskogee, Indian Territory, March 5, 1906.

Madison Fields,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields, and her descendants as Choctaw freedmen with which case the application for the enrollment of yourself and your child Emma Fields as Choctaw freedmen has been consolidated.

Respectfully,

Signed Wm. O. Bell,

Acting Commissioner.

18-D-87.

Muskogee, Indian Territory, March 5, 1906.

Alexander Fields,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen with which case the application for your enrollment as a Choctaw freedman has been consolidated.

Respectfully,

Signed Wm. O. Beall,

Acting Commissioner.

17-D-88.

Muskogee, Indian Territory, March 5, 1906.

Horace Fields,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen with which case the application for your enrollment as a Choctaw freedman has been consolidated.

Respectfully,

Signed Wm. O. Beall,

Acting Commissioner.

17-R-10.

Muskogee, Indian Territory, March 5, 1906.

Mary Selvin,

Caddo, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at none o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen with which case the application for your enrollment as a Choctaw freedman has been consolidated.

Respectfully,

Signed, Wm. O. Beall,

Acting Commissioner.

17-D-128.

Muskogee, Indian Territory, March 5, 1906.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations.
South McAlester, Indian Territory.

Gentlemen:

In the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen, you are advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M. hear the testimony of such witnesses as may be introduced tending to establish their rights to enrollment as Choctaw freedman.

Respectfully,

Signed Wm. O. Beall,

Acting Commissioner.

N. B. 128.

Muskogee, Indian Territory, March 5, 1906.

Charles E. McPherren,

Attorney at Law,

Caddo, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of Emily Fields and her dependents as Choctaw freedmen, you are advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory on Thursday, April 5, 1906, at nine o'clock A. M. hear the testimony of such witnesses as may be introduced tending to establish their rights to enrollment as Choctaw freedmen.

Respectfully,

Signed Wm. O. Beall,

Acting Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T. April 5, 1906.

In the matter of the enrollment of Emily Fields and her descendants as Choctaw freedmen, embracing the consolidated applications of:

Emily Fields,	17-D-128
Joanna McDonald, et al,	17-D-79
Eveline Bryant, et al,	17-D-80
Jim Townsend,	17-D-81
Sidney Fields, et al,	17-D-82
Rena Paris,	17-D-83
Alexander Fields,	17-D-87
Sterling Williams, et al,	17-D-84
Madison Fields, et al,	17-D-86
Mary Belvin,	17-R-10
Horace Fields,	17-D-88
Charley Fields, et al,	17-D-85.
Robert Townsend,	17-D-169
Viney Nail, et al,	17-D-172

(On March 5, 1906, the applicants Henry Fields, Viney Nail, Robert Townsend, Lennie McDonald, Eveline Bryant, Jim Townsend, Sidney Fields, Rena Paris, Sterling Williams, Charley Fields, Madison Fields, Alexander Fields, Horace Fields and Mary Belvin; Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, and Charles N. McPherren, attorney for all the applicants in the consolidated case of Emily Fields, et al, were notified by mail that on April 5, 1906, at 9 o'clock A. M. evidence would be taken by the Commissioner to the Five Civilized Tribes at his office in Muskogee, Indian Territory, in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen.)

On this the 5th day of April 1906, this matter was called up for hearing at 9 o'clock, A. M., and the matter of hearing testimony in this case was continued until 1 o'clock P. M. of the same day.

At 1 o'clock P. M. the Choctaw and Chickasaw Nations are represented by G. Rosenwinkle, appearing for Mansfield, McMurray & Cornish, attorneys for said Nations. The applicant, Jim Townsend appears in person. The other applicants appear not either in person nor by attorney.

It appearing from the record that Charles N. McPherren is the attorney of record of all the applicants in this case, and it further appears that Rek E. Brook appeared on behalf of Charles N. McPherren at a previous hearing in this case, and

was this day notified by the Commissioner to the effect that this case would be up for hearing and is now present.

By the Commissioner:

Mr. Brook, do you desire to represent Mr. McPherren in this case?

By Rek E. Brook:

We desire at this time to make this statement that we have appeared and in several cases heretofore by courtesy to Mr. McPherren, and we were notified a few moments ago by the Commissioner that Mr. McPherren, who appears as counsel in the consolidated cases numbered as given above, was not present when the case was set at 9 o'clock this morning, was continued over until the afternoon but up to 1 o'clock had failed to put in his appearance, and we only appear at this time as a matter of courtesy to Mr. McPherren to take such testimony as he might have to offer on the part of applicants, and to represent him in any matter that might arise in this case or in the consolidated cases given in the application numbered as above.

We at this time move the Commissioner to continue the hearing on the part of the applicants until such time as Mr. McPherren, who is the attorney of record for applicants, can be notified of the hearing set for today, and ask that the case be left open for the purpose of hearing such other testimony as the applicant might wish to offer.

By the Commissioner:

For the present let the testimony be taken of such witnesses as you may have here.

HENRY CHALK, being first duly sworn, and on behalf of the Choctaw and Chickasaw Nations, testifies as follows:

By the Commissioner:

Q What is your name? A Henry Chalk.
Q What is your postoffice? A Muskogee.
Q How old are you? A I think I am about 62 years old.
Q You are a freedman of the Choctaw Nation. A Yes sir.
Q Taken your allotment yet? A Yes sir.

By G. Rosenwinkle:

Q Henry, where have you resided during your life?
A Kiamitia County and Blue Counties.
Q Where were you born? A Towson County.
Q Were you ever acquainted with Doc and John McCoy, Choctaw Indians?
A Yes sir.
Q Did you ever belong to them? A No sir.
Q To whom did you belong? A I belonged to their cousin Mary McCoy.
Q Were you ever acquainted with a woman called Emily McCoy or Emily Fields? A Emily McCoy.
Q Was she a slave of John and Doc McCoy? A Yes sir.
Q Do you know whether or not she was ever sold by John or Doc McCoy to any persons? A She was sold it was so said; William Spring has got her.
Q When was it William Spring got her? A It was before the war, when I was young.
Q Do you know what William Spring did with her? He changed her somewhere around and a white man got her; they said it was a man

called Couthin.

Q Do you know whether or not she resided in the state of Texas at the time of the Civil War? A I didn't hear before the time of the war. When peace was declared I was right there where Doc McCoy lives.

Q This man Spring, was he a Choctaw or a white man? A He was a Choctaw.

Q Did you know any of the children of Emily McCoy? A I do not recollect that she had any children when she went away.

Q Did you know any of her children after she returned? A Yes sir.

Q Can you give the names of any of them? A I can give the names of two, I think Noah Brown.

Q What was the other one? A Let's see; Sid, I think it was Sid.

Q Who was the eldest, Noah or Sid? A I don't know which was the eldest; I think Noah.

Q Is he living or dead? A I heard he was dead.

Q Then your best information is that Emily McCoy was sold by Doc and John McCoy to a man by the name of Spring, who in turn sold her to old man Couthim who took her to Texas, and all of this transpired prior to the Civil War? A Yes sir.

Q Do you know the particular transaction through which the ownership of this woman passed from Doc and John McCoy to this man Spring and Couthim? A I don't know the particulars but after the father and mother of Brook died they got in with William Spring and they got in debt to William Spring, and so William Spring that is the way he get hold of this woman.

Q The McCoy boys got in debt to William Spring? A Yes sir.

Q And gave him this woman in payment of this debt? A Yes sir.

By Rok E. Brook:

Q Henry, do you know of your own knowledge whether Emily McCoy was ever taken to Texas by this man Spring or not? A I didn't see her go.

Q Then you don't know of your own knowledge whether she ever left the Choctaw Nation or not? A She wasn't down there where I was living, and I was living 4 or 5 miles further than they.

Q Couldn't she Henry have been moved or transferred over to another Nation or another country, and you not have known it?

A I don't know; I told you as far as I knew. I couldn't tell you nothing about that.

Q Then of your own knowledge Uncle Henry, you don't know anything about this woman? A After she went away from William Spring, they said she went to Texas, but I don't know, I wasn't there to see her.

Q How do you know whether she left or was supposed to have left in 1861 or 1862, which? A I don't know in what year or nothing.

Q She did belong then to Doc McCoy who was a Choctaw citizen, did she not? A Yes sir.

Q Were the McCoy's citizens of the Choctaw Nation? A Yes sir.

Q Do you know Isom Flint? A Yes I know Isom Flint.

Q Is he a freedman of the Choctaw Nation? A Yes sir.

Q Where was Isom Flint living at the time you were acquainted with this woman Emily Fields? A East of Doakley.

Q Do you know what kin Isom Flint is to Emily Fields. A I don't know anything about the kinship at all.
Q Did you know Jim McCoy? A Yes sir.
Q What kin was he to Doc McCoy? A Jim McCoy was Doc McCoy's uncle.
Q Who owned Emily McCoy, Jim or Doc McCoy? A Neither one; Tom owned her.
Q Did you know Jim Colbert during his life time? A Jim Colbert? There are so many Jims; I couldn't tell which one you are speaking about.
Q Well the one that owned Emily Fields. A I didn't know that Jim Colbert owned her; I don't recollect that.
Q Is Emily Fields and Emily McCoy the same party? A The only one I know is Emily Fields.
Q You don't know anything about her marrying a man by the name of McCoy? A No sir.
Q Did she go by the name of Fields and McCoy, both names? A When I knew her she went by the name of McCoy; I don't know nothing about Fields.
Q Do you know whether she was ever sold as a slave by the McCoy's to this man Spring of your own knowledge? A No more than what was said to me.
Q All you know then Uncle Henry about this supposed sale from McCoy's to Spring, is just what you have heard, is that correct, yes or no? A Yes sir, that is correct.
Q Then all you know about her leaving or being taken out of the Choctaw Nation to the state of Texas by this man Spring, is just what you have heard? A Yes sir.
Q Then you know nothing about her of your own knowledge at all, leaving the Choctaw Nation? A I never saw her when she went.
Q Did you know a woman by the name of Emily McCoy who was Emily Fields? A That is the woman I know; I don't know nothing about Emily Fields.
Q How old was Emily McCoy at the time of the Civil War? A I don't know how old she was.
Q About how old uncle Henry? A I couldn't make any guess at all because I was between 17- 16 and 17 myself.
Q Is it not a fact uncle Henry that Emily McCoy was an old woman at the outbreak of the Civil War? A I don't think she was.
Q Did you ever hear Emily McCoy referred to or called Emily Fields?
A No sir.
Q I would like you to state to the Commissioner of your best judgment how old Emily McCoy was when you left the neighborhood?
A I couldn't say how old she was at all; we didn't pay no attention to a person's age in those days.
Q Have you seen Emily McCoy the woman that you say you knew during the Civil War in the last six months? A No sir, I haint.
Q You haven't? A No sir.
Q Do you know whether she is still living at this time or not?
A I heard she was; I haven't seen her.
Q Have you seen the Emily McCoy that you have identified within the last two years? A No sir.
Q Well, when was the last time you remember having seen her?
A I haven't seen her for the last twenty years; I lived there, right there at Caddo.

Q Do you know whether or not the Emily McCoy that you knew during the war had any children at this time? A Yes sir.
Q Who were her children? A I don't know only what I have named over; Noah Brown and Sidney Fields.

By Mr. Rosenwinkle:

Q Uncle Henry, you do know the McCoy boys sold all of their slaves before the Civil War, do you? A No sir; I don't know nothing.
Q They disposed of all their slaves at the time the war broke out?
A Yes sir. They didn't own none.

By the Commissioner:

Q When did you first get acquainted with Emily McCoy; how many years before the war broke out? A I couldn't tell you.
Q It wasn't fifty years was it? A No sir.
Q Give your best judgment. A I reckon it was about eight or ten years before the war when I first got acquainted with her.
Q But how soon after you first got acquainted with the McCoy's, before the McCoy's disposed of her to Spring? A I couldn't tell you exactly, how long, but before the war broke out; about eight or ten years I first got acquainted with Emily McCoy and she was then a slave of the McCoy's.
Q What was the last thing you heard about, what took place to her, what became of her after that? A After her own mistress died, the twin boys was the only two left.
Q She fell to the twin boys John and Doc McCoy? A Yes sir.
Q Now Doc McCoy is called also Clark McCoy, isn't he? A Yes sir, the same man.
Q After she fell to these two boys, what became of her?
A They growed up; they went in with William Spring, so I understand now.
Q She was still there to be given to William Spring on some debt of the McCoy's? A Yes sir.
Q Now how much was that before the war broke out? A I couldn't tell you exactly, it was before the war.
Q What is your best judgment? A Some two or three years maybe.
Q At that time not what age was Emily McCoy; was she a woman or a girl? A She was a woman mind; I couldn't tell nothing about her age.
Q At that time did she have any children at all? A I don't remember what she did.
Q When was the last time you saw Emily McCoy? A I heard of her after surrender.
Q Where did you see her after surrender? A She was right down there by Dan McCoy's.
Q But from the time that she got away from the McCoy's about two or three years before the war up until the close of the war, you didn't see her at all, did you? A No sir.

Q When you saw her after the war, did she have any children at all? A Yes sir.
Q And what were their names? A There were some small ones called Noah and Sid; she had two older ones.
Q Did she have any small children besides these two? A Noah and Sid and some small children.
Q You don't know where these children were born do you?
A No sir.
Q Did you know a colored man called Dave McCoy? A Yes sir.
Q Dave McCoy, did you ever hear of him? A I know one Dave McCoy, used to mill with Jim McCoy and lived at Boggy Depot; he's dead now.
Q When did he die? A They tell me he's been dead about three or four years now.
Q Did he ever belong to the McCoy boys? A He belonged to their uncle, Jim McCoy.
Q Do you know whether Dave McCoy was ever married to Emily McCoy?
A I don't know.
Q Don't you know Emily had a child by Dave McCoy of the name of Jeanette? A I don't know.
Q Didn't you ever hear about it? A I didn't know anything about it.
Q [illegible] that Dave McCoy and John McCoy didn't have [illegible] A Not that I know of.
Q [illegible] A Was I old at last.
Q [illegible] A I was first a slave of Dave [illegible] then he raised me, and then I belonged to Mary McCoy.
Q Did the McCoy boys have more than one Emily? A Not that I know of.
Q You said something about William Spring calling Emily McCoy to a man called Southin? A That is what I was informed; I didn't see him.
Q Do you know anything about who this man was? A No sir.
Q You don't know whether he was a white man or an Indian?
A Really, they said he was a white man.
Q How far is the Dave McCoy's place from the Texas line?
A About four or five miles from the Texas line.

By Q. Krasnowicki:

Q Did you meet Emily McCoy after the war when she returned?
A Yes sir.
Q Did you talk to her a good many times and did she make any statements to you about where she had been?

By Mr. R. Brown:

We beg to object to that question for the reason it is incompetent.

A No sir.

By Mr. R. Brock:

We withdraw that objection.

By Mr. Rosenwinkle:

Q She didn't tell you anything that transpired in Texas? A No sir.

By the Commissioner:

Q How well did you know Sally Mabry before the war; did you used to talk to her? A I was on speaking terms with her.

David Mabry mentioned in the testimony is identified on Chester Freeman's Card No. 1844.

Witness excused.

JIM [illegible], being first duly sworn, testifies as follows:

By the Commissioner:

Q What is your name? A Jim [illegible].
Q You are a brother of Sally Mabry, are you not? A Grandson.
Q [illegible]
Q [illegible] A Uncle, Chester Ratliff.
Q [illegible]
Q [illegible] McDonald? A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] Bennie is dead? A Yes sir.
Q [illegible] Bennie, is Bennie living? A I don't know.
Q [illegible] A Yes sir.
Q [illegible] A She died I think it was about two years ago.
Q [illegible] A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] Jesse Gamrat? A Yes sir.
Q [illegible] Bailey Bryant? A Yes sir.
Q [illegible] A Yes sir, he is living too.
Q [illegible] A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] A Yes sir.
Q [illegible]
Q [illegible]
Q Is she living? A Yes sir.

Q Do you know Sterling Williams? A Yes sir.
Q Is he living? A Yes sir.
Q Has he got a son called Lewis? A Yes sir.
Q Is that child living? A Yes sir.
Q Sure about that? A Yes sir.
Q Do you know Charley Fields? A Yes sir.
Q Is that child living? A Yes sir.
Q Has he got any other children? A Yes sir, he has got three.
Q Do you know Clifton and a girl called Willie? A A girl they called Willie and one called Clifton.
Q They are both living today? A Yes sir.
Q Do you know Madison Fields? A Yes sir.
Q Is he living? A No sir, he is dead.
Q Do you know when he died? A I don't know exactly when he died; not hardly two years, I don't believe.
Q How he been dead three years? A Three years, I think he has been dead three years.
Q He is dead anyway, isn't he? A Yes sir.
Q Has he got a girl Emma Fields? Is she living? A Yes sir.
Q Did you know Alexander Fields? A I knew Aleck Fields.
Q Is he living? A Yes sir.
Q Are you sure about that? A Was when we got a letter from him.
Q When did you last hear from him? A I don't know, it hasn't been so long ago.
Q Was he living within a year ago, or two years ago? A Oh, yes sir.
Q Where he was living at that time? A Yes sir.
Q What about Harrage; did you know him? A Yes sir.
Q Is he living? A Yes sir.
Q What about Mary Melvin, is she living? A Yes sir.
Q Do you know Robert Townsend? A I know him.
Q Is he living? A Yes sir.
Q Do you know Viney Hall? A Yes sir.
Q Is she living? A Yes sir.
Q Do you know two children by the name of Ed Stevens and Virgie Stevens? A Yes sir.
Q Who is the mother? A Lou Stevens, she is the mother, and her mother was Jeanna McDonald.
Q Are Ed and Virgie Stevens living? A Yes sir, they were the children of Lou Stevens whose mother was Jeanna McDonald.
Q Do you now swear positively that everyone of them are living except Jeanna McDonald, her daughter Bennie, and Madison Fields?
A Yes sir, they are all living.
Q Where are they all living? A Viney she is living at King.
Q Are they living in the Territory or out in the states?
A Oh they are living in the Territory.
Q All of them? A Yes sir.

By W. Rosenwinkle:

Q How long have you lived in the Territory? A All my life.
Q You lived continuously in the Territory? A Yes sir, raised up.

WITNESS EXCUSED.

By Mr. Brook:

I move at this time a continuance of this case of one week for the purpose of offering any further testimony on behalf of applicants.

By the Commissioner:

The case will stand continued for one week providing that the applicants will notify Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations if they desire to offer testimony on that day. This case is left open for the reason that the attorney of record in this case Mr. Charles N. McPherren, is not present and to give him an opportunity, if by some unforseen circumstances he was unable to appear today, to offer testimony if he has any.

Josephine R. Pratt, a stenographer to the Commissioner to the Five Civilized Tribes, on oath states that she correctly reported the proceedings had in the above entitled cause and that the foregoing is a full, true and correct transcript of her stenographic notes thereof.

Josephine R. Pratt

Subscribed and sworn to before me this 7th day of April, 1906.

Walter H. Chapman
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., April 12, 1906.

In the matter of the enrollment of Emily Fields and her descendants as Choctaw freedmen, embracing the consolidated applications of:

Emily Fields,	17-D-128
Jeanna McDonald, et al,	17-D-79
Eveline Bryant, et al,	17-D-80
Jim Townsend,	17-D-81
Sidney Fields, et al,	17-D-82
Rena Paris,	17-D-83
Alexander Fields,	17-D-87
Sterling Williams, et al,	17-D-84
Madison Fields, et al,	17-D-86
Mary Selvin,	17-R-10
Bernice Fields,	17-D-88
Charley Fields, et al,	17-D-85
Robert Townsend,	17-D-169
Viney Nail, et al,	17-D-172.

On this the 12th day of April, 1906, the applicants are represented by Charles N. McPherron, their attorney, and the applicant, Mary E. Selvin.

The attorney for the applicant presents a notice of taking testimony served upon Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, which notice is to the effect that the applicants have some additional testimony in support of their claims to their rights to enrollment as Choctaw freedmen in the within consolidated case on April 12, 1906, at 2 o'clock, P. M. Attached to the notice is the affidavit of the mailing of said notice on April 11, 1906 to said attorneys for the Choctaw and Chickasaw Nations, together with a registry receipt for the same.

No appearance entered at this time either by or on behalf of the attorneys for the Choctaw and Chickasaw Nations.

By the Commissioner:

The records of this consolidated case does not show that the principal applicant Emily Fields, has ever appeared and testified before the Commission in the matter of the enrollment of herself and her descendants. Do you know any reason Mr. McPherron why she is not here?

By Mr. McPherren:

The reason why I did not have her to appear is that her mind is about gone. Since I have been connected with the case, which has been the past two or three years, I have interviewed her I believe not less than three different times with a view of having her testify, and I found her mind in such a condition that she could not be a witness. Her statements would never be of any probative force and they would vary probably within ten minutes after making her statement when she would make one entirely contrary. She never has appeared before the Commission that I know of.

MARY LEE, being first duly sworn, testifies as follows:

By the Commissioner:

Q What is your name? A Mary Lee.
Q You were formerly known as Mary Belvin, were you not? A Yes sir.
Q When were you married to Lee? A It has been about six years ago, close on to six.
Q What is your postoffice address? A Caddo.
Q Indian Territory? A Yes sir.
Q Are you the daughter of Emily Fields? A Yes sir.
Q And one of the applicants in the consolidated case of Emily Fields? A Yes sir.
Q Where is Emily Fields living at the present time? A Caddo.
Q How long had she lived there? A Lived there to my knowledge of 20 or 25 years.
Q Lived there continuously during that time? A Yes sir.
Q She has never appeared before the Commission herself has she?
A She did in Caddo, and up at Atoka.
Q Is she able to be here and testify? A No sir, she is sick, and then she hasn't her good mind and recollection.
Q Is she confined to her house? A Yes sir.
Q For how long at a time? A Why I don't know exactly, she's just able to stir around in the house.

By Mr. McPherren:

Q What is the matter with her mind? A When we had the doctor there last year he said that her brain was effected in some way.
Q Well is her recollection effected- her memory? A Yes sir, her memory is short.
Q Your maiden name was Mary Fields? A Yes sir.
Q How long has your mother's memory or mind been broken?
A It has been about 10 year, I think; about 10 year ago she has been that way.

By the Commissioner:

Q Do all these children and grandchildren claim through your mother, Emily Fields? A Yes sir; she has a lot of grandchildren.
Q Do they all claim through her? A Yes sir.
Q They claim only through her? A I reckon they do; I couldn't say nothing about that.

Witness excused.

SLOAN WARD, being first duly sworn testifies as follows:

By the Commissioner:

Q What is your name? A Sloan Ward.
Q How old are you? A About 50.
Q What is your postoffice? A Atoka.
Q Indian Territory? A Yes sir.
Q Are you a freedman of the Choctaw Nation? A Yes sir.
Q Are you on the final roll as such? A Yes sir.
Q Taken your allotment? A Yes sir.
Q Do you know the principal applicant in this case, the woman by the name of Emily Fields? A Yes sir.
Q When did you first get acquainted with her? A Well I couldn't exactly tell you about how long I have been acquainted with her; about 40 years or 35, or more.
Q Did you get acquainted with her after the war? A Before.
Q Before the war you got acquainted with her? A Yes; well it was about the war was going on.
Q Where were you living then at that time? A Down in Kiamitia Co.
Q What part of Kiamitia County? A At the place they call Goodland.
Q Whose slave were you at that time? A Lewis Folsom's.
Q Where was Emily Fields at that time when you got acquainted with her? A Well, she was living along there at Goodland.
Q About how far from where you were living? A About two miles or three.
Q How did you happen to get acquainted with her? A Well, just like people just traveling around, that is the way I got acquainted with her.
Q How old a woman was she at that time? A I couldn't tell you that.
Q That is rather hard indeed? A She was a grown woman.
Q Did she have any children? A Yes.
Q At that time? A Yes.
Q What was their names? A One was named Sidney and the other was named Jack Jack.
Q How many children had at that time? A Yes, all at that time.
Q You have given this was during the war? A It was during the war I been there children.
Q With whom was she stepping at? A She was stepping at Doctor McCoy's.
Q Doctor McCoy's other name? A I don't know his other name; Doc McCoy was all I know of.
Q What was his brother's name? A John.
Q Did you know Clark McCoy? A No, if I did I don't recollect; I know it was his cousin.

Q How often did you see Emily Fields during the war? A Oh, I saw her lots of times.
Q How often did you see her? A Well sometimes I would see her about a week, or two weeks, something along there.
Q You are sure that at that time she only had two children?
A Exactly all I remember.
Q Did you see her at the close of the war? A I seen her before the close of the war, because my owner had moved away from there to Caddo.
Q When did your owners leave, when did they move?
A I don't know exactly when they did move, whether it was before the war or not; I don't know exactly.
Q What is your best judgment as to when they moved, before the war, after the war or during the war? A It was during the war I guess; I don't know how long but the war was going on.
Q How big were you at that time when you first got acquainted with Emily Fields- about how old were you? A About ten years maybe.
Q How many slaves did Doc McCoy have at that time? A I don't know; I seen Emily, if there were any others I didn't know anything about them.
Q You only knew of Emily? A Yes sir..
Q You don't know as he had any more? A No I don't know; he might have had.
Q Did you get acquainted with Emily at Doc McCoy's place? A Yes sir
Q [illegible] had any more slaves then?
A [illegible]
Q How did you [illegible] with Emily Fields? A Well I know her.
Q [illegible] A She was known at that time as Emily Hunter. I didn't know anything about the Fields part of it [illegible] after she came to Caddo.
Q When did she come to Caddo? A Well I couldn't tell you that.
Q How soon after the war also? A [illegible] reckon; about that I guess.
Q Don't you know Emily Fields was living in Texas at one time?
A No sir, I didn't know a thing about that; if she did I never knew anything about it.
Q How often have you seen her since that? A Oh, I have seen her off and on for about 50 years or more; seen her right here in Caddo.
Q Do you know Mary Selvin? A Yes sir.
Q Who was her mother? A Emily Fields. Is supposed to be her mother.
Q Is Emily Hunter Emily Fields that you testify about the mother of Mary Selvin? A She married and of course she changed her name to Fields.
Q But you Emily that you are talking about is the mother of Mary Selvin? A Yes sir.

By Mr. McPherren:

Q Do you know a man by the name of Henry Chalk? A Yes sir.
Q Did he live down in that country about this time? A Yes sir.
Q When did he leave down there? A Well I don't know.
Q Who did he belong to? A He belonged to a woman by the name of Mary Taylor.
Q What was Mary Taylor's maiden name? A Taylor is all I knew.
Q Now Sloan, where were you living the first time you heard that the war was going on and who did you belong to? A Israel Folsom.
Q Where was Israel Folsom living? A Kizmitia County.
Q Were you living there when the war began? A I don't know sir, let's see.
Q Where were you living when you first heard of the war?
A Kizmitia County.
Q Did you remember when they told you that you were free? A Yes sir.
Q Where were you living when they told you that you were freed?
A In Blue County, near Cadde.
Q Did you still belong to Israel Folsom? A Yes sir.
Q Then when you first heard of the war you were living in Kizmitia County, and when you heard that the war was over you were living in Blue County, and you were set free in Blue County? A Yes sir.
Q And you think you were about ten years old? A Well Folsom told me I was about that.
Q Then you state that you saw Emily McCoy who is now Emily Fields at Doc McCoy's house after the war began? A Yes sir.
Q Did you see her at any time after you moved to Cadde? A No sir, I didn't.
Q You wasn't down there any more? A No sir.
Q How did you know her children Noah Brown and Sidney Fields?
A Yes sir.
Q Did you see any other slaves at Doc McCoy's house during the war but this woman? A No sir, I didn't.
Q You don't know anything about what occurred before the war began, do you? A No sir.
Q About how old were you do you think when the war began?
A Just remember when it was going on.
Q You didn't testify as to whether or not Emily McCoy was sold before the war? A No sir.
Q You don't know? A No sir.
Q How long was it after the war when you saw Emily McCoy or Emily Fields that you saw? A It was about two or three years after that.
Q Where did you see her? A In Cadde.
Q Was it the same woman that you saw down there at Doc McCoy's?
A Yes sir.
Q When was the last time you saw this Emily McCoy or Emily Fields?
A It has been about three years or four since I have seen her.
Q Prior to three or four years ago have you seen her?
A I haven't seen her since, that is the last time I have seen her.
Q Did you know John McCoy her husband or the man she lived with?
A No sir; I have known him since that.
Q He is dead? A He is dead.
Q [illegible] McCoy's during the war?
A [illegible]
Q But you don't know where she was when you were freed? A No sir, until I seen her in Cadde.

Q Have you talked with Emily McCoy or Emily Fields in the last ten years? A Oh I talked with her a little.
Q What is the condition of her memory or mind?
A It seems she done gone lost her mind.

By the Commissioner:

Q Are you related in any way to these people? A No sir.
Q Are you related by marriage to them? A No sir.

By Mr. McPherren:

Q How did it happen that Henry Chalk left that country down there where you were living? A Well, Chalk the reason he left there, they say he was a stealing all the time.
Q They run him out? A Yes sir; I don't know he has done it; I just heard it.

By the Commissioner:

Q Do you desire to offer any more testimony Mr. McPherren in this case?

By Mr. McPherren:

A. No sir, it will be closed.

Witness excused.

MARY SELVIN, recalled:

By the Commissioner:

Q Did you know Ed Stevens and Virgie Stevens? A Yes sir.
Q Who are they? A They are my sister's children, Ed Stevens and Virgie.
Q Who was the mother? A Lou Stevens.
Q And who was Lou Stevens? A She was my sister's daughter; Johnny McDonald's child.
Q Who was the father of these children? A The father was named Will Stevens.
Q A non citizen, was he? A Yes sir.
Q Where was Will Stevens born? A Born in the Territory, down in Pike County.
Q Did Lou Stevens live in Indian Territory? A Yes sir.
Q From the time of her birth up to her death? A Yes sir.
Q When did she die? A I couldn't tell you the facts about it. I [illegible] been dead over six years.
Q Did Sterling Bryant get any children? A Yes sir.
Q What are their names? A One is named Oscar, and I forgot the other.
Q Leroy? A Yes sir, Leroy Bryant.
Q [illegible] living? A Yes sir; she has got [illegible]
Q Shirley Fields got any children? A Yes sir.

Q What are their names? A One named Clifton, and Willie Fields.
Q How old is Clifton? A Well I don't know; I think Clifton is about five years old.
Q How much older than Willie. A It may be a year betwixt them.
Q [illegible] about a year between them; is that a boy?
A [illegible] is a boy.
Q Clifton and Willie both living? A Yes sir, they are both living.
Q Which is your oldest brother or sister? A My oldest sister is [illegible] Fields.
Q Is she living? A No sir, the oldest one living now is Rena [illegible].
Q Give the names of your brothers and sisters according to their ages? A Jessie, Sidney Fields.
Q Was Jessie? A Dead.
Q When did Jessie? A Jessie is dead. Alexander, Sterling Williams, William Fields, Mary.
Q That's everybody? A Yes sir, Renas.
Q Is Ma an [illegible]? A Yes sir.
Q The name North Wharley Fields.
Q That is all isn't it? A Yes sir.

Witness excused.

The applicants through their attorney, Charles McPherren submit the matter of the application for the enrollment of the applicants upon the record now made up.

Josephine R. Pratt, a stenographer to the Commissioner to the Five Civilized Tribes, on oath states that she correctly reported the proceedings had in the above entitled matter and that the foregoing is a full, true and correct transcript of her stenographic notes thereof.

Josephine R. Pratt

Subscribed and sworn to before me this 24th day of April, 1906.

Walter H. Chadwick
Notary Public.

O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Emily Fields, et al., as Choctaw freedmen, consolidating the applications of

Emily Fields	17-D-128,
Joanna McDonald, et al	17-D-79,
Robert Townsend	17-D-169,
Viney Nail, et al	17-D-172,
Eveline Bryant, et al	17-D-80,
Jim Townsend	17-D-81,
Sidney Fields, et al	17-D-82,
Rena Paris	17-D-83,
Sterling Williams, et al	17-D-84,
Charley Fields, et al	17-D-85,
Madison Fields, et al	17-D-86,
Alexander Fields	17-D-87,
Horace Fields	17-D-88,
Mary Belvin	17-R-10.

D E C I S I O N.

It appears from the census card records in this case that on August 24, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Emily Fields as a Choctaw freedman; that on June 11, 1900, applications were made to said Commission for enrollment as Choctaw freedmen by Joanna McDonald for herself and her four minor children, Fanny, Lennie, Paralee and Cleveland McDonald; by Eveline Bryant for herself and her two minor children, Oscar Osborne and Leroy Bryant; by Jim Townsend for himself; by Sidney Fields for himself and his five minor children, Clara, Carrie, Ephrian, Wilburn and Mary Fields; by Rena Paris for herself; and by Sterling Williams for himself and his two minor children, Emma and Virgie Williams; that on June 12, 1900, applications were made by Charley Fields for the enrollment of himself and his two minor children, Chifina and Willy Fields; by Madison Fields for himself and his minor child, Mamie Fields; by Alexander Fields for himself; and by Horace Fields for himself as Choctaw freedmen; that on November 20, 1902, application was made by Robert Townsend for the enrollment of himself; that on November 21, 1902, application was made by Viney Nail for the enrollment of herself and her minor nephew [illegible], Ed and Virgie Stevens; and that on August 22, 1899, application was made by Mary Belvin for the enrollment of herself as a Choctaw freedman.

It appears from the records in the possession of this office that Virdie Williams, minor applicant in 17-D-84, has heretofore been enrolled as a Choctaw freedman, her name (as Odessa May Williams) appearing as number 3430 upon a list prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), of persons entitled to enrollment as Choctaw freedmen, and approved by the Secretary of the Interior September 26, 1903.

It further appears from the record herein and from the census card records in this case that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Charley Fields and Rena Paris are the children of the applicant, Emily Fields, and Eugene Fields, a non-citizen; that Emma Fields is the daughter of the applicant, Madison Fields, and Frances Fields, a non-citizen; that Clifton and Willy Fields are the children of the applicant, Charley Fields, and Biddy Fields, a non-citizen; that Lewis Williams is the son of the applicant, Sterling Williams, and Hattie Williams, a non-citizen; that Fanny, Lennie, Paralee and Cleveland McDonald and Viney Nail are the children of the applicant, Joanna McDonald, and Andy McDonald, a non-citizen; that Robert Townsend is the son of the applicant, Joanna McDonald, and Isom Townsend, a non-citizen; that Ed and Virgie Stevens are the children of Will Stevens, a non-citizen, and Lou Stevens (now deceased, and born subsequent to the war), who was the daughter of the applicant, Joanna McDonald, and Andy McDonald, above mentioned; that Eveline Bryant is the daughter of the applicant, Joanna McDonald, and John Williams, a non-citizen; that Oscar Osborne is the son of said Eveline Bryant and Cornelius Osborne, a non-citizen; that Leroy Bryant is the son of Eveline Bryant and Russell Bryant, a non-citizen; that Jim Townsend is the son of Isom Townsend, a non-citizen, and Ellen Townsend (now deceased); and that Clara, Carrie, Ephriam, Wilburn and Mary Fields are the children of the applicant, Sidney Fields, and Mattie Fields, a non-citizen.

It further appears from the record herein that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Emma Fields, Charley Fields, Clifton Fields, Willy Fields, Sterling Williams, Lewis Williams, Rena Paris and Robert Townsend, were born subsequent to the war of the rebellion, and claim their right to enrollment as Choctaw freedmen by reason of being descendants of the principal applicant, Emily Fields; that the applicants, Fanny McDonald, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, and Leroy Bryant, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Joanna McDonald; that Jim Townsend claims his right to enrollment by reason of being a dependant of Ellen Townsend; and that Clara, Carrie, Ephriam, Wilburn and Mary Fields, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Sidney Fields.

It is alleged that said Emily Fields, Sidney Fields, Joanna McDonald and Ellen Townsend (now deceased), who were born prior to the war of the rebellion, were the slaves of Dock (or John) and Clark McCoy, during and at the close of the war of the rebellion.

The preponderence of the evidence, however, shows that the persons above mentioned were, during and at the close of the war of the rebellion, the slaves of a white man, and resided in the state of Texas at the date of the treaty of Fort Smith.

The record herein further shows that the applicants, Joanna McDonald and Fanny McDonald, died prior to September 25, 1902.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that the applicants, Emily Fields, Sidney Fields, Clara Fields, Rena Paris and Sterling Williams, are identified upon the 1885 Choctaw freedmen census roll, Blue County, numbers 1154, 1163, 1164, 1165 and 1155, respectively. The applicants, Emily Fields, Charley Fields and Madison Fields, are identified upon the 1896 Choctaw freedmen census roll, Blue County, numbers 1452, 1451 and 1441, respectively.

I am, therefore, of the opinion that the applications for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Nail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephriam Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields and Mary Belvin as Choctaw freedmen, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the application for the enrollment of Joanna McDonald and Fanny McDonald as Choctaw freedmen should be dismissed, and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

JUL 10 1906

17-2-[illegible]

Muskogee, Indian Territory, July 10, 1906.

COPY.

Sally Fields,

[illegible], Indian Territory.

Dear Madam:

[illegible] herewith you will find a copy of the decision [illegible] to the Five Civilized Tribes, [illegible] 1906, denying your application for enrollment [illegible].

[illegible] with the record of proceedings in the [illegible] to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the [illegible].

Respectfully,

SIGNED Tacie Bixby

Commissioner.

Enclosures.

Encl. [illegible] et al.

17-D-72, et al

Muskogee, Indian Territory, July 10, 1906.

Copy

Jennie McDonald,

Boynton, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Jennie, Pearlie McDonald and Cleveland McDonald, and dismissing the applications for enrollment of Jeanna McDonald and Henry McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

(SIGNED)

Tams Bixby

Commissioner.

Enclosure.

Inquiry 17-D-72 et al.

17-D-149 et al

Muskogee, Indian Territory, July 10, 1906.

COPY.

Robert Townsend,

Cadde, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying your application for enrollment as a Chickasaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Encl. 17-D-149 et al.

17-D-178 et al

Muskogee, Indian Territory, July 10, 1906.

COPY

Vidny Neil,

Caddo, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 5th, 1906, denying the application for the enrollment of yourself, M Stevens and Virgie Stevens as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Incl. 17-D-178 et al.

17-D-80 et al.

Muskogee, Indian Territory, July 10, 1906.

COPY.

Eveline Bryant,

Gaddo, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of yourself, Emmer Roberts and Leroy Bryant as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Incl. 17-D-[illegible] et al.

17-B-81 et al

Muskogee, Indian Territory, July 10, 1906.

COPY.

Jim Townsend,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying your application for enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Incl. 17-D-14 et al.

17-D-82 et al

Muskogee, Indian Territory, July 10, 1906.

COPY.

Sidney Fields,

Gaddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of your minor children, Clara, Carrie, Ephraim, Wilburn and Mary Fields as Cherokee freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Incl. 17-D-139 et al.

17-D-23 et al.

Muskogee, Indian Territory, July 10, 1906.

COPY.

Rena Paris,

Bokchito, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying your application for enrollment as a Chickasaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

Tams Bixby

Commissioner.

Registered.

Incl. 17-D-23 et al.

17-D-84 et al.

Muskogee, Indian Territory, July 10, 1906.

COPY

Sterling Williams,

Bokchito, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for enrollment of yourself and Lewis Williams as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

Tams Bixby

Commissioner.

Registered.

Incl. 17-D-128 et al.

17-D-85 et al.

Muskogee, Indian Territory, July 10, 1906.

COPY

Charley Fields,

Cadde, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for enrollment of [illegible] Clifton [illegible] and Charley Fields as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED
Tams Bixby
Commissioner.

Registered.

Encl. 17-D-77 et al.

17-D-86 et al.

Muskogee, Indian Territory, July 10, 1906.

COPY.

Madison Fields,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for enrollment of yourself and Emma Fields as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

Tams Bixby

Commissioner.

Registered.

Incl. 17-D-86 et al.

17-D-87 et als

Muskogee, Indian Territory, July 10, 1906.

COPY.

Alexander Fields,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying your application for enrollment as a Cherokee freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

Tams Bixby

Commissioner.

Registered.

Incl. 17-D-87 et al.

17-D-86 et al.

Muskogee, Indian Territory, July 20, 1906.

Harvey Fields,

[illegible], Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 18, 1906, denying your application for enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Inst. 17-D-[illegible] et al.

17-R-10 et al.

Muskogee, Indian Territory, July 10, 1906.

COPY.

Mary Dalvin,

Sedda, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying your application for enrollment as a Cherokee freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

Tams Bixby

Commissioner.

Registered.

Incl. 17-R-10 et al.

17-D-128 et al.

Muskogee, Indian Territory, July 20, 1908.

COPY.

Charles N. McPherron,

Attorney at Law,

Eufaula, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of this department to the Muscogee Freedman, rendered July 18, 1908, denying the applications for the enrollment of Mary Galvin, Georgina Williams, Lewis Williams, Rose Paris, Evaline Tyner, Oscar Johnson, Larey Bryant, Jim Tecumseh, Robert Tecumseh, Vinsy Hall, Ed Stevens, Virgie Stevens, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Horace, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephrain, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Jennie McDonald and Fanny McDonald as Choctaw Freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be [illegible] as soon as [illegible]

Respectfully,

SIGNED

Tams Bixby

Commissioner.

Inc. [illegible]

17-D-128 et al.

Muskogee, Indian Territory, July 20, 1906.

COPY

Kennerly, Mathews & Carnish,
Attorneys for Choctaw and Chickasaw Nation,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Colvin, Sterling Williams, Lewis Williams, Rena Paris, Eveline Bryant, Oscar Bohanna, Lorey Bryant, Jim Townsend, Robert Townsend, Vinny Neil, Ed Stevens, Virgie Stevens, Lonnie McDonald, Paralee McDonald, Cleveland McDonald, Emily, Norman, Alexander, Madison, Emma, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, Wilburn and Mary Fields, and dismissing the applications for the enrollment of Jessie McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known by you as soon as this office is informed of the same.

Respectfully,

SIGNED
Tams Bixby
Commissioner.

Incl. 17-D-128 et al.

COPY.

Muskogee, Indian Territory, July 10, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Emily Fields, Louie McDonald, Pauline McDonald, Cleveland McDonald, Robert Townsend, Vincy Nail, Ed Stevens, Virgie Stevens, William Bryant, Cooper Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clary Fields, Harvie Fields, Ephrain Fields, William Fields, Mary Fields, Nina Davis, Sterling Williams, Lewis Williams, Charley Fields, Clifton Fields, Willy Fields, Madison Fields, Emma Fields, Alexander Fields, Horace Fields, and Mary Melvin as Chester freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated July 18, 1906, denying said applications, and dismissing the applications for the enrollment of Louie McDonald and Fanny McDonald as Chester freedmen.

Respectfully,

Tams Bixby

Commissioner

S Land. 17-2-188 et al.

Through the

Commissioner of Indian Affairs.

D.C. [illegible].
N.T.D. [illegible]-1907.
E.A.S.
[illegible].

J.J.
Pam.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

March 4, 1907.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Your decision of July 10, 1906, denying the application for the enrollment of Emily Fields, et al., as Choctaw freedmen, is hereby affirmed, as recommended by the Indian Office in its letter of January 16, 1907.

The record in the case has been sent to the Indian Office with a copy hereof.

Respectfully,
Jesse E. Wilson,
Acting Secretary.

1 inc. for Ind. Of.
with copy hereof.

A.F.Ma.
3-6-07.

B.C. [illegible]0.
L.T. [illegible]44-1907.
L.R.W.
[illegible].

J.P.
[illegible].

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

March 4, 1907.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decision of July [illegible], 1906, denying the applications for the enrollment of Emily Fields, et al., as Choctaw freedmen, is hereby affirmed, as recommended by the Indian Office in its letter of January 16, 1907.

The record in the case has been sent to the Indian Office with a copy hereof.

Respectfully,

Jesse E. Wilson,

Acting Secretary.

1 inc. for Ind.Of.
with copy hereof.

A.F.Mc.
3-6-07.

S.C.Miscc.
I.T.D.1904-1907.
L.R.S.
[illegible].

J.P.
[illegible].

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

March 4, 1907.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decision of July 10, 1906, denying the applications for the enrollment of Molly Fields, et al., as Choctaw freedmen, is hereby affirmed, as recommended by the Indian Office in its letter of January [illegible], 1907.

The record in the case has been sent to the Indian Office with a copy hereof.

Respectfully,

Jesse E. Wilson,

Acting Secretary.

1 enc. for Ind.Of.
with copy hereof.
A.F.[illegible]
3-6-07.

[illegible]

Muskogee, Indian Territory, April 16, 1907.

[illegible]

[illegible]

Ottawa, Indian Territory.

[illegible]

You are hereby notified that on March 6, 1907, the undersigned [illegible] addressed an application to this office on July 10, [illegible] for the allotment of your enrollment as a [illegible] freedman.

Respectfully,

[illegible]

Commissioner.

1

17[illegible]

Muskogee, Indian Territory, April 19, 1907.

Leslie McDonald,

Keystone, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of July 12, 1906, denying the application for the enrollment of yourself, Caroline McDonald and Cleveland McDonald and dismissing the application for the enrollment of Jennie McDonald and Henry McDonald as Choctaw freedmen.

Respectfully,

[illegible]

Commissioner.

17-[illegible]

Muskogee, Indian Territory, April 19, 1907.

[illegible] Townsend,

Gaddis, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of July 30, 1906, denying the application for your enrollment as a Cherokee freedman.

Respectfully,

[illegible]

17-2-128

Muskogee, Indian Territory, April 19, 1907.

Viney Hall,

Gadsden, Indian Territory.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the action of this office of July 10, 1906, denying the application for the enrollment of yourself, Ed Stevens and Myrtle Stevens as Chickasaw freedmen.

Respectfully,

Commissioner.

17-[illegible]

Muskogee, Indian Territory, April 19, 1907.

[illegible] Bryant,

Gaddo, Indian Territory.

Dear [illegible]:

You are hereby advised that on March 4, 1907, the Secretary [illegible] Commissioner's office of July 10, 1907, denying the application for the enrollment of yourself Oscar Wharne and Larry Bryant as Choctaw freedmen.

Respectfully,

Commissioner.

17-[illegible]

Muskogee, Indian Territory, April 19, 1907.

Pin Tecumseh,

Durant, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior approved the decision of this office of July 18, 1906, denying the application for your enrollment as a Choctaw freedman.

Respectfully,

Commissioner.

Enclosed.

Muskogee, Indian Territory, April 19, 1907.

Sidney Fields,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of July 10, 1906, denying the application for the enrollment of yourself, Clara, Carrie, Ephrain, Silvanus and Mary Fields as Chickasaw freedmen.

Respectfully,

Commissioner.

17-[illegible]

Muskogee, Indian Territory, April 19, 1907.

[illegible],

Bokchito, Indian Territory.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of July 10, 1906, denying the application for your enrollment as a Choctaw freedman.

Respectfully,

Commissioner.

[illegible]

Muskogee, Indian Territory, April 19, 1907.

Sterling Williams,

Eufaula, Indian Territory.

Dear Sir:

[illegible] You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of July 10, 1906, denying the application for the enrollment of [illegible] and [illegible] Williams as Choctaw freedmen.

Respectfully,

Commissioner.

[illegible]-D-123

Muskogee, Indian Territory, April 19, 1907.

Charley Vielle,

Eufaula, Indian Territory.

Dear Sir:

[illegible] advised you on March 4, 1907, the Department had [illegible] the appointment of your father as July 18, 1906, during the application [illegible] of enrollment of [illegible] Charley Vielle and Mary Vielle [illegible] between.

Respectfully,

Commissioner.

17-D-128

Muskogee, Indian Territory, April 10, 1907.

[illegible]

[illegible]

[illegible] Indian Territory.

Gentlemen:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the [illegible] of this office of [illegible], [illegible] the appointment of [illegible] and [illegible] of [illegible] appraisers.

Respectfully,

Commissioner.

17-D-128

Muskogee, Indian Territory, April 19, 1907.

Chickasaw Nation,

Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of July 10, 1906, denying the application for your enrollment as a Chickasaw freedman.

Respectfully,

Commissioner.

19-D-128

Muskogee, Indian Territory, April 20, 1907.

Horace Fields,

Cadiz, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of July 10, 1906, denying the application for your enrollment as a Chickasaw freedman.

Respectfully,

Commissioner.

[illegible]-128

Muskogee, Indian Territory, April 19, 1907.

Mary Calvin,

[illegible] Okla., Indian Territory.

Dear Madam:

[illegible] hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of July 10, [illegible] denying the application for your enrollment [illegible] freedman.

[illegible]

Commissioner.

[illegible]

Muskogee, Indian Territory, April 18, 1907.

Chandler, McMurren,
Attorney at Law,
Ada, Indian Territory.

Dear Sir:

You are hereby notified that on March 4, 1907, [illegible] Cleveland [illegible] Charley, Clifton, Willy, Sidney, [illegible] and Mary Fields, and signatures [illegible] of Jimmie McDonald, [illegible] as Chickasaw [illegible]

Respectfully,

17-D-122

Muskogee, Indian Territory, April 19, 1907.

[illegible] Cornish,

[illegible] Muskogee [illegible]

[illegible] Indian Territory.

Dear Madam:

[illegible] Ed Stevens, Virgil [illegible], Lonnie McDonald, Perales McDonald, Cleveland McDonald, Emily, [illegible], Alexander, Gaitson, [illegible], Clifton, Willy, Sidney, Glenn, Gerrie, Ephraim, Wilburn, and Mary Fields are filed[illegible] the enrollment for the enrollment of Jessie McDonald and Fanny McDonald as Creekes freedmen.

Respectfully,

Choc FR D-129 Lem Folsom

Cancelled
duplicate of no. 1 on Choc FR card D226
Jan 24 1906

FR D-129

Choc FR D-130 Molsie Foster
or
Molsie Butler

record trans to Choc Fr card 1083

FR D-130

Chac FR D-131 Davis Gary

record trans to Chac FR card 949

FR D-131

PR D 132

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

121-132

2/2/8

Mary Burks,
c/o C. B. Burks,
Tonapah, Nevada.

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

CHAT. FREEDMEN

D132

Mary Graham
Tisley
or Brooks

REFUSED, FEB 20 1907

RECORD FORWARDED DEPARTMENT.

FEB 2[illegible] 1907

AC[illegible]ED BY
SEC[illegible]ERIOR.

NOTICE [illegible]
FORWA[illegible]ION
AND C[illegible] CHOCTAW APR 3 - 190[illegible]

17-B-132.

Muskogee, Indian Territory, August 18, 1904.

Mary Graham,

Gaine, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a freedman of the Chickasaw Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as such freedman.

You are, therefore, requested to appear before the Commission at its general office, Muskogee, Indian Territory as soon as possible, or you may appear at the Chickasaw Land Office, [illegible] Territory on September [illegible], 1904, or at the Chickasaw Land Office, Tishomingo, Indian Territory on September [illegible], 1904.

[illegible]

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEWLON,
C. R. BREARDSTOWN,
and
WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
19-Ch-128.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 6, 1906.

Mary Grimes,

Spiro, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a Chickasaw freedman, you were advised by letter dated August 10, 1904, that it would be necessary for you to appear in person before the Commission together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to be enrolled as a Chickasaw freedman.

You are again advised that it will be necessary for you to appear before the Commission at its office in Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of testifying relative to your right to be enrolled as a Chickasaw freedman.

REFER IN REPLY TO THE FOLLOWING:

17-D-132

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 28, 1905.

Mary Graham, (Colored),

Spire, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a Choctaw Freedman, you were advised by letter dated August 18, 1904, and also on April 6, 1905, that it would be necessary for you to appear in person before this office, together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to be enrolled as a Choctaw Freedman.

You are again advised that it will be necessary for you to appear before this office, at Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of [illegible]

[illegible]

Respectfully,

Geo D Rodgers
Acting Commissioner.

Braden, Ind. Ter Mar 6, 1906.

Commission to the five Civilized Tribes/

Gentlemen:

Your letter to hand.

My mothers name was Mary Pusley, Indian My father [illegible] was [illegible] Pusley negro freedman I was married to a man by name of [illegible] Graham but I registered under name of Mary Pusley at Oak Lodge June 13, 1899.

I went in and registered as citizen by blood when I statted to go out the old man called me back and said he could not register me as as citizen by blood, But as freedman.

My Mother was a freedman But my father was an Indian

I told the old man do as he pleased aboutit,

The people that was there was

Dave Hawkins, Choctaw

[illegible] Leflore, Choctaw

[illegible] McCurtain, Gove of Choctaw Nation

[illegible] Campbell Negro Freedman

Yours truly

[illegible] Mary [illegible]

Braden, Ind. Terr March 7the 1906.

Hon Commissioner

Muskogee, I. T.

your March 2 Duly at hand the contents noted at Oaklodge June 15th 1898 persons present at the time I Register Mr. Green

Mr Martin

Mr. Dick Willson I am a married woman at the time I Register my husband wher name Harry Graham who has since Deceased my Present Husband Charley Burks I Register By Blood my Father George Pusley my mother Polly Pusley married and I have never been out of nation I and Dick Willson wher Children together.

I remain yours

Respectfully,

Mary Pusley I use Mary Pusley because I Register under that name my Father name

17-D-132

Muskogee, Indian Territory, March 12, 1906.

Mary Pusley,

Braden, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letters of March 7 and March 8, 1906, giving the names of your parents as George and Polly Pusley; that you were married to Henry Graham but registered at Oakledge in June 13, 1899, under the name of Mary Pusley; you state that your father was an Indian and your mother a freedman.

You are advised that the information contained in your letter has enabled this office to identify you upon its records as an applicant for enrollment as a Choctaw freedman under the name of Mary Graham and before further consideration can be given this application it will be necessary for you to appear in person at this office for the purpose of testifying relative to your right to such enrollment. This matter should receive your early attention and notice of the time of taking testimony must first be served upon the attorneys for the Choctaw and Chickasaw Nations.

Respectfully,

Acting Commissioner.

REFER IN REPLY TO THE FOLLOWING

17-D-132

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 27, 1906.

Charlie Burks,

Muskogee, Indian Territory.

Dear Sir:

Referring to your personal statement that you desire the application for the enrollment of your wife Mary Graham decided upon the record as it now stands, you are advised that it will be necessary for Mary Graham to appear at this office in person in the matter of her application for enrollment as a Choctaw freedman.

Respectfully,

Commissioner.

17-D-182

Muskogee, Indian Territory, June 13, 1906.

Mary Grayson,
Box 203,
Muskogee, Indian Territory.

Dear Madam:

Your letter of May 6, 1906, addressed to the Secretary of the Interior has been by him referred to this office for consideration and appropriate action. Therein you ask relative to your right to enrollment and state that your father and mother are George and Polly Wesley.

In reply to your letter you are advised that it is believed that you are the person who made application for enrollment as a Choctaw freedman under the name of Mary Graham and no action has yet been taken in your case, but you will be notified when a decision is reached therein.

Respectfully,

Commissioner.

27-D-128

Muskogee, Indian Territory, October 24, 1906.

Mary [illegible]

[illegible]

Dear Madam:

Receipt is hereby acknowledged of your letter of October 19, 1906, making the status of your application for enrollment.

In reply to your letter you are advised that no action has yet been taken in the matter of your application for enrollment as a Choctaw freedman, but when a decision is reached you will be notified of the action taken therein.

Respectfully,

[illegible]

Commissioner.

17-D-128

Muskogee, Indian Territory, February 1, 1907.

Mary [illegible]

Care of G. B. [illegible],

Tecumseh, Nebraska.

Dear Madam:

Receipt is hereby acknowledged of your letter of January 11, 1907, making relative to the application for your enrollment as a Cherokee freedman and stating that your application was made under the name of Mary [illegible].

In reply to your letter you are advised that no decision has yet been reached relative to your application for enrollment as a Cherokee freedman, but you will be notified of the action taken

Respectfully,

[illegible]

[illegible] WASHINGTON, D.C.

L.T.B. [illegible], [illegible], [illegible], [illegible] [illegible], [illegible]. March 4, 1907.

R. C. [illegible]-1907.

COPY

Commissioner to the Five Civilized Tribes
Muskogee, Indian Territory.

Sirs:

Your decisions in the following Chickasaw citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your report and recommending that the decisions be affirmed are inclosed.

Title of case.	Date of your letter of transmittal.
Ellen A. Alexander, et al.	February 16, 1907.
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

[illegible]

Respectfully,

[illegible]

[illegible]

Refer in reply to the following:
Land: 18951-1907.

Copy

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON, March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby dated February 20, 1907, transmitting the record relative to the application for enrollment of Mary Graham, as a Choctaw freedman. On February 20, 1907, the Commissioner held that the applicant was not entitled to enrollment.

The decision of the Commissioner has been examined and found to [illegible]

Very respectfully,

C.F. Larrabee,

Acting Commissioner.

JFB. CL.

17-D-152.

Muskogee, Indian Territory, March 9, 1907.

Mary Burke,

General Delivery,

Grand Junction, Colorado.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 2, 1907, in which you ask if there has been any action taken in your case to address you at Colorado as you have removed from Tonopah, Nevada to that place.

In reply to your letter you are advised that on February 20, 1907, the Commissioner to the Five Civilized Tribes render-

[illegible]

Grayson, and on the same date the charges in your case were formally [illegible] charges of [illegible]. You will be notified of the [illegible]

Very [illegible]

17-D-132

Muskogee, Indian Territory, April 5, 1907.

Mary Burke,

Box 671,

Grand Junction, Colorado.

Dear Madam:

Your letter [illegible]out date addressed to the Secretary of the Interior has been by him referred to this office for consideration and appropriate action. Therein you give information relative to your maiden name, the names of your parents and where you were registered.

In reply to your letter you are advised that on February 20, 1907, the Commissioner to the Five Civilized Tribes rendered a decision denying the application for the enrollment of [illegible] the record in this case was forwarded to the Secretary of the Interior, [illegible] this action was approved by the Department and your [illegible] application [illegible]

Respectfully,

[illegible]

Acting Commissioner.

FREEDMAN

In re application of Mary Graham to the Commission to the Five Civilized Tribes , at Spiro, I. T., June 13th, 1899, for enrollment as a Choctaw Freedman. Being duly sworn by Commissioner Needles, and examined by him, et al,she testified as follows:-

Q. What is your name? A. Mary Graham.

Q. How old are you? A. I don't know, I was five years old time of the war.

Q. Who was your master? A. George Pursley.

Q. What was he a Choctaw or Chickasaw? A. Choctaw.

Q. Where have you been living since the war? A. Right here in the Choctaw Nation.

Q. Is your husband a state man? A. Yes sir.

Q. Where did you live when you belonged to Pursley? A. We lived at Brushy.

Q. Is there any body here that knows you belonged to Pursley? A. I don't know sir.

(Requested to get further proof as to her rights as a Freedman)

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

W A Smiley

FREEDMAN

In re application of Mary Graham for enrollment.

Richard Wilson being duly sworn testified as follows:-

Q. What is your name? A. Richard Wilson.

Q. What do you know about this girl Mary Graham? A. It was always acknowledged by the people that took her that she was Polly Pursley's daughter. The old lady had them out here on Brazile part of the time, and the old lady died out there. There were three of the girls, Mary, Harriet and Rachel Pursley.

Richard Brashears being duly sworn testified as follows:-

Q. What is your name? A. Richard Brashears.

Q. What do you know about Mary Graham? A. I saw this woman when Col. Walker's father sold her to a man named John Ott, he carried them down to Red River, she had one child, and Ott moved back to Sugarloaf County, and she had another one named Allen, and then she had a yellow girl named Betsy, and two others, Harriet and Aleck were the two youngest one's. She had five children, were all she ever had. This woman got with them but she is not her daughter.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer of the Commission, that this transcript is a full and correct translation of my stenographic notes.

W A Shirley

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
Muskogee, I. T. March 22, 1906.

In the matter of the application for the enrollment of Mary Graham as a Choctaw Freedman. Card 17-D-122.

No notice having been served upon Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, the evidence will now be taken in this case subject to their objection.

MARY GRAHAM, being first duly sworn, testifies as follows:

By the Commissioner:

Q What is your name? A Mary Graham.
Q What is your postoffice address? A Braden.
Q Choctaw Nation, isn't it? A Yes.
Q How old are you? A I don't know exactly.
Q Well, guess at it. A I was five years old;
Q Was it at the beginning of the war or at the close of the war when you were five years old? (No answer)
Q You are about fifty years old, are you not? A Yes sir, I guess so.
Q What is your father's name? A George Pusley.
Q What was he? A Choctaw.
Q Choctaw freedman? A Choctaw by blood; full blooded Choctaw.
Q Is he living? A No sir.
Q When did he die? A He has been dead ever since the war; I can just remember.
Q Early part of the war? A Yes sir.
Q What is your mother's name? A. Polly Pusley.
Q Is she living? A No sir.
Q When did she die? A She's been dead about, as near as I can guess at it, [illegible] years.
Q Was she a Negro? A Yes sir.
Q Where did she live? A [illegible]
Q [illegible] the war? A [illegible]
Q [illegible] during the war? A [illegible]
Q [illegible] Yes sir.
Q [illegible] living at that time? A George Pusley.
Q [illegible] there? A [illegible]
Q [illegible] there? A [illegible] until about grown.
Q [illegible] slave of the [illegible]? A No sir, not much of a [illegible]
Q [illegible] when you were at the close of the war? A [illegible]
Q You were a slave of George Pusley, was you not?
A No sir, I wasn't.

Q Your mother was a slave? A Yes sir.
Q So you must have been a slave. You don't know anything about it at all, do you? A No sir.
Q What you do know is that your mother was a slave of George Pusley during the war and that you were with her? A Yes sir.
Q Where have you lived since then? A Been living right here in the Choctaw Nation all my life.
Q Haven't you lived anywhere else? A No sir; bred, born and done raised and been living here all my life; don't know nowhere else.
Q How many times have you been married? A Three.
Q What was the name of your first husband? A Fletcher.
Q What was his first name? A Steven.
Q Where did you marry him? A I married him in the Choctaw Nation; he was a United States soldier.
Q He was a statesman, was he? A Yes sir.
Q Did you go out of the Nation with him? A No sir.
Q Who was your next husband? A Harry Graham.
Q Is your first husband living? A No sir.
Q Is Harry Graham, your second husband living? A No sir.
Q Now who is your third husband? A Burks.
Q What is his first name? A Charlie Burks.
Q When were you married? A I was married to Charlie Burks in the spring of 1902.
Q What is he? A He is a Creek.
Q Where did you marry him? A Married him on the line of the state of the Choctaw Nation.
Q What state are you talking about? A Arkansas.
Q What slaves did George Pusley have when the war closed?
A Well now I tell you I can't remember back that way; you know I was too small. He had Rachel Pusley, Harriet Pusley.
Q Any more? A Steve Pusley.
Q Are there any of them living today? A No sir, there is not.
Q Who is there that knows about your living with George Pusley that is living today? A I can't think of her name to save me.
Q Was she living down there at the time? A Yes sir.
Q Do you know Tandy G. Walker? A I know him; of course he don't know me.
Q Did you see him today? A No sir.
Q Didn't you ever belong to Col. Walker's father? A No sir. Never belonged to him no nothing.
Q Did you ever belong to a man called John Ott? A No sir; didn't belong to nobody but old George Pusley.
Q Didn't you testify when you appeared before the Commission to the Five Civilized Tribes on June 13, 1899, at Spiro, Indian Territory, that you lived at Brazil during the war? A No sir.
Q You didn't say that? A No sir.
Q Was Pusley living at the close of the war? A No sir, he died before the war.
Q What became of your mother after George Pusley died?
A Well she lived there until after surrender, and then she moved from there to Brazil.
Q Have you got any brothers and sisters? A No sir, nobody but myself.

Q You claim your rights to enrollment through your mother, don't you? A No, through my father's side.
Q But your mother was a slave? A Yes sir. Well let me ask you one question.
Q I am not here answering questions. Didn't George Pusley have an Indian wife at the time of the war? A If he did I don't remember it you know.
Q It is a fact isn't it that you and your mother were living out in the lot and not living in the house with George Pusley?
A You mean like there was a room here and one there; my mother stayed in this one here. I was small; I don't know, I wouldn't try to tell. The colored people lived outside of the lot and George Pusley was living in the house.
Q Didn't George Pusley have some children? A Well I don't know; I wouldn't try to say that.
Q Do you know whether George Pusley's wife was a white woman or an Indian? A No sir, I don't.
Q You don't remember but very little about George Pusley, do you?
A I just remember what my mother taught me. I remember we were always right there with him until death.
Q But you were only about five years old at the time of his death.
A Yes sir.
Q Now you never claimed that you were an Indian before, did you?
A I did.
Q When did you claim to be? A I registered and when I come out there was a man called me back and asked me what was my mother. I told him my mother was a slave and he said I can register you as a freedman.
Q What did you say to that? A I said, do as you please.
Q You never received any money from the Choctaw Nation, did you?
A No sir, I never received none myself.
Q You never asked for any? A Only once.
Q Your name was never on the roll of the Choctaw Nation at all, was it? A Well it ought to be; my mother put it on.
Q You didn't receive the $103.00 did you? A No sir.
Q The only thing you ever received from the Choctaw Nation was the bread rations twenty or thirty years ago? A I only received the bread rations twenty or thirty years ago.

Witness excused.

Case continued until 1:30 P. M. 1:30 P. M. case called; applicant appears in person and states that she is unable to procure the attendance of her witnesses for this afternoon. Case then continued until 9:00 A. M. March 29th.

March 29th case called; applicant appears in person.

-4-

HENRY CHALK, being first duly sworn, testified as follows:

By the Commissioner:

Q What is your name? A Henry Chalk.
Q Postoffice address? A Muskogee.
Q How old are you? A About sixty; they say I am a little over sixty-one.
Q How much older are you? A Sixty-two.
Q You are a Cherokee freedman? A Yes sir.
Q Do you know this woman back here, the applicant? A Yes sir, I know her.
Q What is her name? A She used to go by the name of Mary Pusley; I don't know what she goes by now.
Q Where did you first get acquainted with her? A In Jack Fork.
Q What is the name of the nearest town? A There wasn't any town down there then except Boggy Depot.
Q How far from Boggy Depot? A About forty miles.
Q How old was she when you first knew her? A I don't know exactly.
Q Can't you guess? A When I first knew her she was about five or six years old.
Q What was her mother's name? A Polly.
Q Polly? A Polly Pusley.
Q Was she a slave? A Yes sir.
Q Who did she belong to? A George Pusley.
Q Did you know George Pusley well? A Yes sir, I used to know him in his life time.
Q When did he die? A During the war.
Q Sure about that now? A Yes.
Q Wasn't George Pusley stabbed a few years ago, the other side of Wallester? A Not old George Pusley; not this one I am speaking of.
Q He is not this same man? A No sir.
Q Did George Pusley have any children? A Yes, Nicholas and Albert?
Q Are they all dead? A I heard Nicholas wasn't dead; I haven't seen him in a long time.
Q You think that Nicholas is still living? A Yes, I think so; I don't know, I haven't he was.
Q [illegible] girl's mother at the close of the war?

[illegible]

Q Did you see Mary Pusley? A Yes sir, I saw her.
Q Where was she living? A Living with her mother.
Q Have you seen her often since then? A Only once in a while.
Q You been here about fifteen years haven't you? A Yes sir.
Q Where did you see her? A Where they call Red Oak.
Q How far is Red Oak from Braden? A Well I don't know exactly how far it is.
Q What is your best judgment of it? It isn't 100 miles is it?
A No sir; it is something like 15 or 20 miles perhaps.
Q Now isn't it a fact Henry that Polly belonged to Col. Walker?
A No, no sir; not the one I am speaking about.
Q Did you know Col. Walker's father? A Yes.
Q Did you know a man by the name of John Ott? A No sir; I am not acquainted with him.
Q This girl was a slave wasn't she during the war? A Ought to be; her mother was a slave.
Q Was George married at that time, during the war? A I never heard about it; I didn't see his wife.
Q You believe he didn't have one at that time? A No sir, I don't believe he had one.
Q You always considered Mary as a negro, didn't you?
A Yes sir, because her mother was.
Q You always thought she was a slave? A Yes sir.
Q Always considered as such wasn't she, as a negro?
A I suppose she was, for she was right there with her mother.
Q Did George Pusley have any slaves during the war besides Polly?
A Yes, he had some, two or three were besides them.
Q Do you know their names? A I done forget their names; there were two men and than this woman here had a cousin; I thought first it was her sister but it wasn't. Her name Sillin.
Q What was her other name? A Sillin Pusley.
Q She is living there near McAlester? A Yes sir, east of McAlester.
Q How did you happen to come and testify in this case Henry?
A Today?
Q Yes sir. A I just met up with them yesterday and sitting down talking with them, and they asked me if I remembered her mother and her mother's folks, and I told them, yes, I recollect some of them, but it has been so long I done forget part of them.
Q How far were you living from George Pusley at the beginning of the war? A Oh about forty or fifty miles the other side before they moved down there.
Q Did you get acquainted with them at Jack Fork or at Boggy Depot? A Just Jack Fork and then at Boggy Depot.
Q Was Jack Fork between Boggy Depot and Ft. Smith? A Yes sir.
Q Are you related in any way to Mary Pusley? A No sir.
Q What was George Pusley -- an Indian? A Yes sir.
Q How much Indian blood did he have? A He was about three-quarters; he had about a quarter white in him.
Q Did you know his wife? A No sir.
Q About how old a man was George Pusley at the beginning of the war? A Well, I couldn't say exactly, but something like about forty or forty-five maybe.
Q Did George Pusley die a natural death? A I wasn't there when he died; I just heard he was dead; I don't know how he died.

Witness excused.

MARY GRAHAM, recalled.

By the Commissioner.

Q In what places have you lived since the war? A Well I lived in Brazil, Buck Creek, Nelytuch.
Q You don't claim now do you as an Indian by blood? A I do.
Q But your name is not on any of the rolls? A Well, of course I don't know about that, but then I claim it by blood.
Q You were never recognized as an Indian by blood by the tribes? (No answer)
Q Your mother was never recognized, was she? A I suppose she was.
Q Well, did she ever draw any money? A Well now I wouldn't say as to that; she drew once.
Q She drew bread rations, didn't she? A Yes sir.
Q About twenty or twenty-five years ago, that is the only thing she got? A Yes sir.
Q She died about ten years ago? A Let's see, she's been, about as near as I can come to it, about fifteen years.
Q You never applied to the Dawes Commission as a citizen by blood, did you? A Yes sir, I went in and registered as a bona fide citizen and when I went back he asked me what was my mother, and I said she is a freedman, and he said I can't register you as a bona fide citizen, but I can as a freedman.
Q What name do you want to go by? A I want to be known and addressed as Mary Graham.
Q Have you any children? A No, none living.

Witness excused.

Josephine R. Pratt, a stenographer to the Commissioner to the Five Civilized Tribes, on oath states that she correctly reported the proceedings had in the above entitled cause and that the foregoing is a full, true and correct transcript of her stenographic notes thereof.

Josephine R. Pratt

Subscribed and sworn to before me this 29th day of March, 1904.

Walter H. Chambers
Notary Public.

17-D-732.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, May 18, 1906.

In the matter of the application for the enrollment of Mary Graham as a Choctaw Freedman.

Appearances: Lynn W. Culp, attorney at law, Muskogee, Indian Territory, appears on behalf of the applicant.

MARY GRAHAM, being first duly sworn, testified as follows:

Examination by the Commissioner:

Q What is your name? A My name is Mary Burks, sir.
Q How long have you been married to Burks? A Going on five years.
Q What was your name before you married Burks? A Graham.
Q How old are you? A I don't know, sir; I was five years old the time of the war.
Q How do you fix that? A I don't know, sir.
Q How do you know you were five years old? A My mama told me.
Q What is your post office address? A Muskogee.
Q What is the name of your mother? A Polly Pusley.
Q What is the name of your father? A George Pusley.
Q Was your mother a negro woman and a slave? A Well, she was about my color.
Q Was she a slave during the war? A Not that I know of; she was with my father since I can remember; I don't know whether she was a slave or not; guess she wasn't.
Q Did any one own you during the war? A No sir.
Q Before the war? A No sir.
Q Who did you live with? A Lived with my daddy.
Q What was your dad? A Choctaw.
Q How much? A Full blood.
Q Is he living? A No sir, he is dead.
Q When did he die? A He died during the war.
Q You know when the war was? A Not no good I don't.
Q How many years ago? A I don't know, sir.
Q Ten years ago? A I don't know, sir, how long it was.
Q Did you ever see your father? A Yes sir.
Q When? A When I was a small girl.
Q How old were you when he died? A I don't know, sir.
Q What kind of a looking man was your father? A Looked like all other Injuns; just like I am.

Q Did any one own your mother? A No sir, not that I know of.
Q Did your mother and father live together as husband and wife?
A Yes sir.
Q On whose place? A On their own place.
Q Whereabout was that located? A Boggy Depot.
Q Did your father have any relatives living in the Choctaw Nation?
A Yes sir, he had a lot.
Q Did he have any brothers? A Had one.
Q What is his name? A Willie Pusley.
Q How much Choctaw blood did he have? A He was a full blood.
Q Did he have any sisters? A I don't remember whether he did or not.
Q When were you five years of age, at the beginning or close of the war? A Beginning of the war.
Q And your father died when? A During the war.
Q When you were about six or seven years old? A Yes sir.
Q Did George Pusley have any sisters? A Not that I know of.
Q Do you know who his father was? A No sir.
Q Or his mother? A No sir.
Q Was your mother married to George Puslye? A I don't know, sir.
Q Did they live together? A Yes sir.
Q Same house? A Yes sir.
Q You remember that do you? A Yes sir.
Q How far from Boggy Depot did you live before the war?
A Right in Boggy.
Q Who do you remember living there when you did? A A Lot of people.
Q Who were they? A I forget their names; I lived there before I was grown.
Q Do you know the names of any one living there during that time?
A Martha Johnson, Sarah Johnson and Martha Colbert.
Q Are they living now? A I couldn't tell you.
Q When did you see them last? A I was a pretty good sized girl when I saw them last.
Q Were they living there when you were five or six years old?
A Yes, they were living there when my mother moved away from there.
Q How long did you live at Boggy Depot? A I lived there until I was a woman grown, I guess.
Q How many years? A I couldn't tell you.
Q Where did you go to? A We moved to Brushy.
Q How far is thatt from Boggy? A Well, now, I couldn't hardly tell; I reckon it is about 36 or 7 miles from there.
Q How long did you live there? A About four years.
Q Then where did you go? A South McAlester.
Q How long did you live there? A About three years.
Q Then where did you go? A Moved to Brazil.
Q How far is that? A I don't know how far it is from here.
Q What nation is it in? A Choctaw Nation.
Q Do you live in the Choctaw Nation now? A No.
Q How long have you lived here in Muskogee? A I have been here a month.
Q Where did you come from? A Choctaw Nation.
Q Did you ever live in Arkansas? A No sir.
Q Never did? A No sir.
Q Did your mother? A No sir.

Q Was your mother a full blood negro? A No sir.
Q What was she? A About a half.
Q A half blood what? A Indian and darkey.
Q Who was her father? A I don't know, sir.
Q Who was her mother? A I don't know that either.

By Mr. Culp:

Q Mary, was there any one else living at the house where your father and mother lived beside you? A My sister, a little girl like myself.
Q How many children did your mother have? A Four.
Q How many living now? A Just me; one.
Q Mary, when your father died, did any one claim you and your mother and take possession of you? A No sir.
Q Where did you go after your father died; did you leave there immediately? A No sir, we stayed right there on our home place until after the surrender; my mama stayed there afterwards, and then we moved to Brushy.
Q Lived on the same place you lived with your father? A Yes sir, our old home place.
Q You named a few that you knew there. Did you know any Smith's there? A Yes sir.
Q What Smiths'? A Uncle Joe Smith and Ike Smith and Martha.
Q Have you ever drawn your head money in the nation? A No sir, not since my mother died.
Q Did you draw any before that? A My mother did.
Q For you? A Yes sir.

By the Commissioner:

Q How long has your mother been dead? A If I live to see Christmas day, she will be dead nineteen years.

By Mr. Culp:

Q Now, did your father treat your mother as a slave or as his wife, Mary? A Treated her as his wife, as far as I know.
Q How many rooms were in your house? A Two.
Q Did your father and mother occupy one room? A Yes sir.
Q You say there was no other woman around the house? A No sir, not that I know of.
Q Do you speak the Choctaw language? A Yes sir.
Q Do you speak or talk it better that English? A Yes sir, much better than English.

By the Commissioner:

Q Do you claim any rights as a Choctaw freedman? A No sir.

(Witness excused.)

JIMMIE GREER, being first duly sworn, testified as follows:

Examination by the Commissioner:

Q What is your name? A Jimmie Greer.
Q How old are you Jimmie? A I am going on about 21 or 2.
Q Where do you live? A I live here on North Mill street.
Q How long have you lived in Muskogee? A I been here about six years; been in the nation here about twenty years; been here near all my life.
Q In the Creek nation? A In the Choctaw Nation; I was born in the Choctaw Nation.
Q Whereabouts? A Near McAlester.
Q Are you a Choctaw freedman? A Yes sir.
Q Got your allotment? A Yes sir.
Q Are you acquainted with the applicant, Mary Graham? A Yes sir.
Q How long have you known her? A I knowed her since she was a small girl.
Q Where did you first see her? A I first saw her at her father's ranch.
Q Who was her father? A George Pursley.
Q What place is it you met this woman first? A The first time I see that girl was right at her father's house.
Q Where was that located? A They was down on a ranch betwixt Red River and somewhere, but I can't call the name of that little place.
Q What county in the Choctaw Nation was it in? A I don't know nothing about any county.
Q Near what post office? A Well, it was near Atoka after they moved.
Q Near what place was it you first met Mary Graham? A Well, I tell you it was at that ranch.
Q Well, where was that ranch located? A Well, just as I tell you, I can't recollect.
Q What is the name of Mary Graham's mother? A Polly.
Q Polly what? A Polly Pusley.
Q What was she? A Choctaw.
Q Indian or freedman or what? A No sir, she wasn't no freedman; I heard she belonged to that man, but she was his own wife, and they stayed right there in the house together, and he didn't have any other woman with him, and her children were George's own children.
Q Was her mother a slave of George Pusley? A Wife of his.
Q What is the name of his father and mother? A I don't know any of her kin folks, except them two.
Q [illegible] A [illegible]
Q [illegible] A [illegible]
Q [illegible] A [illegible]
Q [illegible] A [illegible]

Q That was shortly after the war you were told that? A Yes sir.
Q Told you both of them were dead? A Yes sir.
Q How much Choctaw blood did George Pusley have? A He was a full blood.
Q Do you know any of his kin folks? A No sir, I don't off-spring; if I did, I have forgotten.
Q Do you know who his mother was? A No sir.
Q Father? A No sir, don't know anything about them, but they was all Choctaws though.
Q How long before the war did you become acquainted with George Pusley? Was it before or after? A Before.
Q How long before? A Ten or twelve years; you see I came backwards and forwards by there.
Q What were you doing? A I was farming; I waited on my ranch all the time, but we was out on a hunt then.
Q Hunt all the time? A No, the Indians all had big hunts once or twice a week.
Q How many children did George Pusley have by Polly? A I don't know, sir; I wasn't acquainted with any one but Mary, because I left there.
Q How long after the war did you see her again? A Well, I saw Mary twice; I saw her to-day; I seen her twice.
Q Since the war? A Yessir, I knew her the very time I saw her; she is just like her father.
Q Do you know whether George Pusley had any other children by Polly than this woman here? A No sir, I don't [illegible] were they from there Captain.
Q Do you know Henry Chalk living here in town? A Yes sir.
Q How long have you known him? A Known him for a long time.
Q Whereabouts? A In the Choctaw Nation and here and all around.
Q When did you first meet Henry, before or after the war? A Twenty-five or thirty years ago.
Q Was it before or after the war? A Before the war.
Q Whereabouts? A I met him in this nation; he didn't stay about all the time, but come backwards and forwards just like I did.
Q Don't you remember any places you lived there before the war?
A No sir, I don't.
Q Don't know any of them? A No sir.
Q How long have you lived here in Muskogee? A I have been living here six years.
Q Where did you live before that? A I lived at Lehigh, McAlester, Stringtown, Calvary Station; Fort Smith; Fort Gibson, Texas, and all through that nation.
Q Who was Henry Chalk's master? A I don't know, sir; if I heard [illegible]
Q [illegible] Henry's father? A No sir.
Q [illegible] A Yes sir, [illegible]
Q Did you ever know any one by the name of John Grant? A No, that I know of.
Q When was the last time you met this woman, Mary, you saw her to-day? A Well, I met her sometime ago, might have been a year or some such matter.

Q Where were you at that time? A Here in town.
Q Did she look you up? A No sir, just saw her; I didn't know it was her until I happened to see her one time and she pulled off her bonnet, and I knowed it was her.
Q How did she happen to know who you were? A She told me and I told her. We got to talking about people we knew in the nation; we got to talking about the Tubbees' and she was a kin to them.

By Mr. Culp:

Q Greer, can you tell a Choctaw from other Indians of different tribes or not? A Yes sir, I know some of them.
Q Did you at first suspicion that she was a Choctaw or not?
A Yes sir, I knowed she was.
Q Did you hold any conversation in Choctaw? A No sir.

By the Commissioner:

Q Do you speak Choctaw? A No sir.
Q Don't understand it at all? A No sir.

By Mr. Culp:

Q Do you know the Choctaw language when you hear it? A No sir.
Q Can you distinguish between it and other Indian languages?
A Yes sir.
Q Greer, I will ask you about how old this girl was the last time you visited her father's house before you left that neighborhood?
A Well, I think she was nine or ten year old.
Q Was any other children there at that time? A She wasn't any nine year old; I think she was about three years old the last time I saw her.
Q Did she go by any other name besides Mary that you know of?
A Well, I forget what we called her for a nickname, but her name was Mary though; I forget what we called her.
Q Greer, does this girl resemble her father in any great degree?
A Yes sir, she is just as much like him as one person can look like another.
Q You spoke a little while ago about George Pusley having a ranch; did his wife and child live on that ranch with him? A Yes sir.
Q Did they move from that ranch? A Yes sir.
Q Where did they go? A They came up here to Boggy and had a little house, I mean in the house one evening.
Q You said that presently after the war you hunted up George Pusley?
A I did.
Q How long was it after the war that you returned? A [illegible] third year [illegible] for him and they told me it was no use to hunt for him, he was dead.
Q You say you heard at that time that this woman's [illegible]
A Yes [illegible] hunting and they told me these old people [illegible]
Q Well, was [illegible] over and question of her death [illegible] presumption of [illegible]? A No, just [illegible] you [illegible] they was dead.
Q [illegible] for them? A Around Boggy [illegible] Green McCurtain thinks he is a cousin of my mother.

By the Commissioner:

Q You wouldn't acknowledge that? A No sir, I wouldn't swear to it.

By Mr. Culp:

Q Now, Greer, I will ask you one question more. Are you positive that is the daughter of Polly Pusley and George Pusley?
A Yes sir, that is his daughter there; that is the daughter of George; I knew she is.
Q When you went there, did George Pusley treat this woman as his wife or as his slave? A Treated her as his wife; didn't treat her as any slave, and treated her child as his daughter.

By the Commissioner:

Q How long did you stay at his house at a time? A Just stopped to get something to eat.
Q How long did it take you to eat? A I don't know how long it took me to eat.

(Witness excused.)

MARY GRAHAM, being recalled, testified as follows:

Examination by Mr. Culp:

Q Mary, did you have any brothers and sisters, did you say?
A Yes sir.
Q How many? A I had three sisters; no brothers.
Q Was there anybody around the place there that was known as George Pusley's boys? A Well, they said he had some boys but, of course, I don't remember them.
Q Do you know whether he was ever married besides marrying your mother? A No sir, I don't know anything about any other woman besides mama.
Q There was no other woman around the place besides your mother?
A No sir.
Q Do you know if your mother is on the roll? A Yes sir, she is.
Q How long ago did she die? A My mother will be dead ninegeen years this coming Christmas; she is on the roll because I got a letter saying she was on the roll, her and my father both, and one of my sisters.
Q You left there something after the war did you? A Yes sir.
Q How far away from there did you go? A We moved from Reggy to Bruner.
Q About how many miles was that? A About thirty I reckon.

By the Commissioner:

Q After the war where did you go to? A To Bruner.
Q Did your mother marry again there? A No sir, she didn't.

Q Never married, could during her life time? A No sir.
Q Her husband always was Polly Pusley? A Yes sir, she died a widow.

(Witness excused.)

Lenora B. Ashton, as stenographer to the Commissioner to the Five Civilized Tribes on oath states that she reported the testimony in the above entitled cause on the 18th day of May, 1906, and that that foregoing is a true and complete transcript of her stenographic notes.

Lenora B. Ashton

Subscribed and sworn to before me this the 19th day of May, 1906.

Chas. Webster
Notary Public.

17-D-132. D.C.L.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

*****

In the matter of the application for the enrollment of Mary Graham as a Choctaw freedman.

DECISION.

It appears from the record herein that on June 13, 1899, at Spiro, Indian Territory, Mary Graham appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of herself as a Choctaw freedman.

The applicant, who was born prior to the War of the Rebellion, specifically disclaims, and the evidence fails to establish, that she was ever the slave of a Choctaw Indian. She alleges, however, that she was the daughter of George Pusley (deceased), a full blood Choctaw Indian, and Polly Pusley, a half blood Choctaw Indian.

It does not appear from the record herein or from the records in the possession of this office that the applicant has ever been recognized or enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by any duly constituted authority.

I am, therefore, of the opinion that the application for the enrollment of Mary Graham as a Choctaw freedman and as a citizen by blood of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

FEB 20 1907

4 Wm 132

COPY

Muskogee, Indian Territory, February 20, 1907.

Mary Porter,

c/o C. E. Burke,

Yerington, Nevada.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, dated February 20, 1907, denying the application for the enrollment of Mary Graham as a Choctaw freedman.

The application, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office has notice of the same.

Respectfully,

Tams Bixby

Commissioner.

Enl. Rec. RM.

17-D-132

COPY

Muskogee, Indian Territory, February 20, 1907.

Lynn W. Culp,
Attorney at law,
Muskogee, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 20, 1907, denying the application for the enrollment of Mary Graham as a Cherokee freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Department will be made upon the papers in the case in this office is indicated above.

Respectfully,

[illegible]

17-D-128

COPY

Muskogee, Indian Territory, February 20, 1907.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South Mallester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 20, last, covering the application for the enrollment of Mary Orphan as a Chickasaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED: Tams Bixby

Commissioner.

COPY

Muskogee, Indian Territory, February 20, 1907.

The Honorable,

The Secretary of the Interior:

Sir:

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Mary Graham as a Choctaw freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated February 20, 1907, denying said application.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Encl.

[illegible]

[illegible]

[illegible]

I.T.D. [illegible]

D. C. [illegible]-1907.

[illegible]

Commissioner to the Five Civilized Tribes
Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your report and recommending that the decisions be affirmed are inclosed.

Title of Case.	Date of your letter of transmittal.
Elias A. Alexander, et al.	January [illegible], 1907.
[illegible] (freedman)	January [illegible], 1907.
[illegible]	[illegible]
[illegible] (freedman)	[illegible]
[illegible]	[illegible]
[illegible] et al. (freedman)	[illegible]
[illegible] (freedman)	[illegible]

A copy hereof has been mailed to the above mentioned [illegible] who have been made by the [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Refer in reply to the following:
Land: 16951-1907.

Copy

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON, March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby dated February 20, 1907, transmitting the record relative to the application for enrollment of Mary Graham, as a Choctaw freedman. On February 20, 1907, the Commissioner held that the applicant was not entitled to enrollment.

The decision of the Commissioner has been examined and found to be correct, and its approval is recommended.

Very respectfully,

C.F.Larrabee,

Acting Commissioner.

CFL. EM.

17-E-138.

Muskogee, Indian Territory, April 3, 1907.

Mary Burks,

Care C. E. Burks,

Tonopah, Nevada.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 20, 1907, denying the application for the enrollment of Mary Graham as a Choctaw freedman.

Respectfully,

Geo. D. Rodgers,

Acting Commissioner.

17-D-138

Muskogee, Indian Territory, April 3, 1907.

Lynn W. Culp,
Attorney at Law,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 20, 1907, denying the application for the enrollment of Mary Graham as a Choctaw freedman.

Respectfully,

Geo. D. Rodgers.

170-132.

Muskogee, Indian Territory, April 3, 1907.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 20, 1907, denying the application for the enrollment of Mary Graham as a Choctaw freedman.

Respectfully,

Geo. D. Rogers,
Acting Commissioner.

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REFER IN REPLY TO THE FOLLOWING:

(COPY)

DEPARTMENT OF THE INTERIOR,

Land
18951-1907.

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby dated February 20, 1907, transmitting the record relative to the application for enrollment of Mary Graham as a Choctaw freedman. On February 20, 1907, the Commissioner held that the applicant was not entitled to enrollment.

The decision of the Commissioner has been examined and found to be correct, and its approval is recommended.

Very respectfully,

[illegible],

Acting Commissioner.

JFB-GH.

REFER IN REPLY TO THE FOLLOWING:

17-D-132

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 20, 1907.

Mary Burks,
c/o C. B. Burks,
Tonopah, Nevada.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 20, 1907, denying the application for the enrollment of Mary Graham as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.

Encl. 17-D-132

Choc FR D-133 David Hall

Granted Jan 19, 1909
and record Trans To Chick Fr card 1502
Feb 3, 1906

FR D-133

PR D 134

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SOUTH McALESTER, I. T., SEPT. 4th, 1899.

SARAH HARRIS, being sworn, testified as follows:

Q. What is your name? A. Sarah Harris.

Q. How old are you?

A. I do not know.

Q. Who did you belong to?

A. Joe Riddle.

Q. Was he a Choctaw or a Chickasaw?

A. Choctaw.

Q. What county have you been living in?

A. Sans Bois.

Q. Where were you living when you were turned free?

A. In Mississippi.

Q. How long did you stay there?

A. I came back right away, came back her before the first treaty.

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

R. R. Cravens

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SOUTH McALESTER, I. T., SEPT 4", 1899.

SARAH HARRIS, being sworn, testified as follows:

Q. What is your name?

A. Sarah Harris (Also Sallie Thompson & Riddle)

T. J. WALL, being sworn, testified on behalf of Sarah Harris as follows:

Q. Your name is T. J. Wall? A. Yes sir. 7-2282

Q. Do you know Sarah Harris (this woman - indicating)

A. Yes sir.

Q. Who did she belong to? A. I do not know, but my wife says she belonged to her father.

Q. Has she been living in the Territory all the time?

A. Yes sir.

Q. Sarah, where were you turned free? A. In Mississippi.

Q. When did you get back here?

A. Went down one April and came back just as soon as the war ended. They told me in Mississippi I belongs in the Territory and they sent me back home.

Q. Did you get back before the first treaty?

A. Yes sir.

Q. [illegible] you belong to?

Q. Were you with Jake Riddle when you [illegible]

A. Yes sir.

Q. He took you to Mississippi? [illegible]

A. Yes sir.

SARAH [illegible] jr.

Q. Who took you there?

A. My child was taken from me and sold and Jack Riddle bought him and went to Mississippi. And I went to get my child. I would not let him have him and went to get him. I was starting to Ft. Gibson, and I heard Mr. Mallester say that Jacob had been redeemed and they started to Mississippi with him, and I was at Ft. Smith and they went for me to go for him and Jack Riddle told Moses.

Q. If you were not sold, why did your mother let you go?

A. He did not let me go, I ran off and went with Jim Bowman.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

R R Graves

[illegible]

[illegible]

[illegible]

In the matter of the application for the enrollment of [illegible] Harris as a Choctaw freedman.

D E C I S I O N.

It appears from the record herein that Sarah Harris [illegible] the Commission to the Five Civilized Tribes at [illegible] Indian Territory on [illegible] 1896, and [illegible] application of herself as a Choctaw freedman. [illegible] in this case shows that Sarah Harris was a [illegible] and was residing in the [illegible] Freedmen Bureau, and as she is [illegible].

[illegible] of the Freedmen Bureau of the Choctaw District made in 1866, shows the name of the applicant as Sallie Thompson opposite No. 545 and the following notation appears after her name: "Former owner Jos. Sullivan, sold to William of Mississippi. Not here until year 1870. [illegible] Bureau Record.

[illegible] of the opinion that Sarah Harris is not entitled to [illegible] and that the application made for [illegible] should be denied. [illegible] of the date of [illegible] Nash, dated July 1, 1902 [illegible] and is adopted.

Commissioner.

Muskogee, Indian Territory.

(N) (9)

17-D-134

Muskogee, Indian Territory, April 21, 1906.

COPY

Sarah Harris,

[illegible], Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered April 21, 1906, denying your application for enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Wm. O. Beall

Acting Commissioner.

Encl. 17-D-134

17-D-134

Muskogee, Indian Territory, April 21, 1906.

COPY

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered April 21, 1906, denying the application for the enrollment of Sarah Harris as a Choctaw freedman.

The decision, with the record of proceedings in this case, was this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as practicable in interest of the case.

Respectfully,

SIGNED Wm. O. Beall

Acting Commissioner.

Inclo. 17-D-134.

Muskogee, Indian Territory, April 21, 1906.

COPY

The Secretary,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record of proceedings in the matter of the application for the enrollment of Sarah Harris as a Cherokee freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated April 21, 1906, denying said application.

Respectfully,

SIGNED Wm. O. Beall

Commissioner.

2 Inc. 17-D-124

Through the
Commissioner of Indian Affairs.

JCK

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

December 14, 1906.

I.T.D. 24524-1906

LRS

Commissioner to the Five Civilized Tribes,

Muskogee, I. T.

Sir:

April 21, 1906, you transmitted the record in the matter of the application for the enrollment of Sarah Harris as a Choctaw freedman, together with your decision of the same date adverse to the applicants.

Reporting December 8, 1906, the Indian office (Land 36649-06) recommended that your decision be affirmed. Copy of its letter is enclosed. The Department concurs in said recommendation and your decision adverse to the applicant is accordingly affirmed.

The papers in the case have been returned to the Indian office for its files.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

1 encl. and 2 to Ind. C.

Land
34643-1906

December 6, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed herewith for Departmental consideration, report of Commissioner Bixby, dated April 21, 1906, together with the record, in the matter of the application of Sarah Harris for enrollment as a Choctaw freedman.

The Commissioner reports that Sarah Harris appeared before the Commission at South McAlester, I. T., on September 4, 1899, and made application for the enrollment of herself, as above.

It is shown from the evidence herein, that the applicant was a slave of Joe Riddle, a Choctaw Indian, and was residing in the State of Mississippi when she acquired her freedom. She testifies that she "came back before the first treaty."

The Commissioner says that an examination of what is known as the Freedmen Register of the Choctaw Nation for the First District made in 1885 shows the name of the applicant as Sallie Thompson opposite No. 445, and the following notation appears after her name: "Former owner, Joe. Riddle. Sold to citizen of Mississippi Not here until 1870. Rejected by Advisory Board."

It appearing that the applicant was owned by a non-citi-

men, and that she was absent from the nation until the year 1870, it is the opinion of the Office that she does not come within the provisions of the Acts of June 28, 1898, [30 Stat. L. 495] and July 1, 1902, [32 Stat. L. 641], and it is recommended that her application be denied.

Very respectfully,

LW-GD

Acting Commissioner.

17-D-134

Muskogee, Indian Territory, December 15, 1906.

Sarah Harris,

Kinta, Indian Territory.

Dear Madam :--

You are hereby advised that on December 14, 1906, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes of April 21, 1906, denying the application for your enrollment as a Choctaw freedman.

Respectfully,

Acting Commissioner.

17-D-134

Muskogee, Indian Territory, December 26, 1906.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen :--

You are hereby advised that on December 14, 1906, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes of April 21, 1906, denying the application for the enrollment of Sarah Harris as a Choctaw freedman.

For your information, there is enclosed herewith, copy of the letter referred to above.

Respectfully,

Acting Commissioner.

Encl. 17-D-134.

17-D-134.

Muskogee, Indian Territory, August 19, 1904.

Sarah Harris,

South McAlester, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a freedman of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as such freedman.

You are, therefore, requested to appear before the Commission at its general office, Muskogee, Indian Territory as soon as possible; or you may appear at the Choctaw Land Office, Atoka, Indian Territory, September 5-7, 1904; or at the Choctaw Land Office, Tushkahoma, Indian Territory, September 8-9, 1904.

Respectfully,

Commissioner to Choctaws.

W.O.B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-134.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 6, 1906.

Sarah Harris,

South McAlester, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a Choctaw freedman, you were advised by letter dated August 19, 1904, that it would be necessary for you to appear in person before the Commission together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to be enrolled as a Choctaw freedman.

You are again advised that it will be necessary for you to appear before the Commission at its office in Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of testifying relative to your right to be enrolled as a Choctaw freedman.

Such appearance should be made at the earliest date possible, in order that disposition may be made of said application.

Respectfully,

Commissioner in Charge.

Refer in reply to the following:

17-D-134

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 28, 1905.

Sarah Harris,

Care of Postmaster,

South McAlester, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a freedman of the Choctaw Nation, you were advised on August 19, 1904, that it would be necessary for you to appear in person before the Commission, together with such witnesses as you might be able to procure, for the purpose of testifying relative to your rights as such freedman.

You are again requested to appear before this office, at Muskogee, Indian Territory, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as a Choctaw Freedman.

Such appearance should be made at the earliest date possible, in order that disposition may be made of said application.

Respectfully,

Geo D Konopa

Acting Commissioner.

17-D-134

Muskogee, Indian Territory, April 3, 1906.

Sarah Harris,

Kinta, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 24, 1906, asking what action has been taken in the matter of your application for enrollment as a Choctaw freedman.

In reply to your letter you are advised that your application for enrollment as a Choctaw freedman is now receiving consideration and when a decision is reached you will be notified of the action taken therein.

Respectfully,

Acting Commissioner.

Sarah Harris

DECISION RENDERED APR 21 1906

CLOSED

COPY MADE AND MAILED
ATTORNEY FOR CHOCTAW AND
CHICKASAW NATIONS APR 21 1906

COPY MADE AND MAILED
APPLICANT APR 21 1906

RECORD FORWARDED TO DEPARTMENT
APR 21 1906

Choc FR D-135 Hickman Hensley

FR D-135

In re the application of Hickman Hensley to the Commission to the Five Civilized Tribes at Spiro, I. T. June 12th. 1899 for enrollment as a Choctaw Freedman, being duly sworn by Commissioner Needles and examined by him, et al, he testified as follows:-

Q. What is your name? A. Hickman Hensley.

Q. How old are you? A. About forty.

Q. Were you a slave before the war? A. Yes sir.

Q. Who was your master? A. Peter Pitchlynn.

Q. Where have you been living since you were freed? A. On Red River.

Q. On the Texas side? A. No sir next to Texas.

Q. Which side of the River were you on? A. On this side in the Territory.

Q. Have you been living there all the time? A. Not all the time.

Q. How long have you lived over in Texas? A. I wasn't over in Texas.

Q. You are not on any of the rolls here and you will have to get witnesses to identify you before we can enroll you.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

W A Smiley

174D-136.

Muskogee, Indian Territory, August 19, 1904.

Richard Manley,

Spiro, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a freedman of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as such freedman.

You are, therefore, requested to appear before the Commission at its general office, Muskogee, Indian Territory, as soon as possible, or you may appear at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904, or at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

Respectfully,

Commissioner in Charge.

17-D-135.

Muskogee, Indian Territory, April 6, 1905.

Hickman Kensley,

Spiro, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a Choctaw freedman, you were advised by letter dated August 19, 1904 that it would be necessary for you to appear in person before the Commission together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to be enrolled as a Choctaw Freedman.

You are again advised that before disposition can be made of your application for enrollment as a Choctaw Freedman, it will be necessary for you to appear before the Commission at its office in Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of testifying relative to your right to enrollment as a Choctaw Freedman.

Such appearance should be made at the earliest date practicable in order that disposition may be made of said application.

Respectfully,

Commissioner in Charge.

17-D-135.

Muskogee, Indian Territory, August 4, 1905.

Hickman Hensley,

Care of John Taylor,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 25, 1905, in which you state that you are unable to appear before this office in the matter of your enrollment as a Choctaw freedman at this time, but will come as soon as you are able.

In reply to your letter you are advised that such personal appearance should be made at the earliest date practicable, in order that your application for enrollment as a Choctaw freedman may be disposed of.

Respectfully,

Commissioner.

17-D-135.

Muskogee, Indian Territory, November 28, 1905.

Hickman Hensley,

Care of John Taylor,

Spiro, Indian Territory.

Dear Sir:

On July 26, 1905, this office was in receipt of a letter from you, in which you stated that you were unable to appear before this office in the matter of your enrollment as a Choctaw freedman at that time, but that you would come as soon as you were able.

You are again advised that such personal appearance should be made at the earliest date possible, in order that your application for enrollment as such freedman may be disposed of.

This matter should receive your prompt attention.

Respectfully,

Acting Commissioner.

17-D-235.

Muskogee, Indian Territory, January 23, 1906.

Hickman Hensley,

Bokoshe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 12, 1906, stating that you are unable to appear and you wish to be advised if you can file on land described by you without your personal appearance.

In reply to your letter you are advised that it appears from the records of this office that your application for enrollment as a Choctaw freedman has not yet been passed upon and before action can be taken thereon it will be necessary for you to appear at this office for the purpose of testifying relative to your right to enrollment.

Respectfully,

Commissioner.

33-E-135.

Muskogee, Indian Territory, August 22, 1906.

Rasbell & Harriman,

Bokoshe, Indian Territory.

Dear Sirs:

Your letter of August 8, 1906, addressed to the United States Indian Agent has been by him referred to this office for appropriate action. Therein you ask what steps are necessary to take in the matter of the application for the enrollment of Hickman Hensley as a Choctaw freedman.

[illegible] Hickman Hensley is an applicant for enrollment as a Choctaw freedman, and he has heretofore been advised, on several occasions, that it would be necessary for him to appear at this office and give testimony relating to his right to enrollment as such, but up to this time no appearance has been made in response to said letters. He should appear at this office as early as practicable for the purpose of introducing testimony in his case, notice of the time of such appearance having been first served upon the attorneys for the Choctaw and Chickasaw Nations.

[illegible]

17-D-114.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Hickman Hensley as a Choctaw freedman.

D E C I S I O N :-

It appears from the record herein that on June 12, 1906, at Spiro, Indian Territory, Hickman Hensley appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of himself as a Choctaw freedman.

Although ample opportunity has been afforded the applicant to show by satisfactory evidence that he is entitled to enrollment as a Choctaw freedman, he has failed to do so. [illegible] following the names of [illegible] (I.T.D. [illegible]-1904), William Barnes (I.T.D. 1467-1904), Minnie Dunson et al. (I.T.D. [illegible]-1904), [illegible] Chambers (I.T.D. [illegible]-1904), [illegible] William [illegible] (I.T.D. [illegible]), [illegible] (I.T.D. [illegible]-1904), [illegible] (I.T.D. [illegible]-1904) and Frankie Grimmett (I.T.D. [illegible]) the application for the enrollment of Hickman Hensley as a Choctaw freedman should be denied, and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

FEB 18 1907

COPY

Muskogee, Indian Territory, February 18, 1907.

[illegible] Bentley,

[illegible], Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner of the Five Civilized Tribes, rendered February 16, 1907, denying the application for your enrollment as a Cherokee freedman.

The decision, with the proceedings in the case in this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Yours [illegible],

SIGNED Tams Bixby

Commissioner.

[illegible]

[illegible]

COPY

[illegible], Indian Territory, February 18, 1907.

[illegible]

[illegible]field, [illegible]ry & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 18, 1907, denying the application for the enrollment of Nickman Moseley as a Choctaw freedman.

The decision, with the proceedings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

[illegible]

COPY

[illegible], Indian Territory, February 18, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Hickman Hensley as a Choctaw freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated February 18, 1907, denying said application.

Respectfully,

Tams Bixby

Commissioner.

Enclosure.
Report and
Commissioner of Indian Affairs.

[illegible]
[illegible]

[illegible]
[illegible]

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

[illegible]

March 2, 1907.

[illegible]

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are enclosed:

[illegible]	Date of Your Letter of Transmittal.
Oye Richardson, Jr., (Freedman),	February [illegible], 1907.
[illegible] and Willie Lee Kruger (Freedmen),	February 14, 1907.
[illegible]	[illegible]
[illegible] (Freedmen),	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible] (Freedmen),	[illegible]
[illegible] (Freedmen),	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible] Ella Asbury et al.,	[illegible]
[illegible]	February 21, 1907.

-2-

Title of Case.	Date of Copy Letter of Transmittal.
[illegible] and [illegible] (Freedmen),	[illegible]
[illegible] (Freedmen),	[illegible]
[illegible] (Freedmen),	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible] (Freedmen),	[illegible]
[illegible]	[illegible]
[illegible] et als.	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible] Starks, (Intermarried).	February 18, 1907.

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

[illegible]
[illegible]

[illegible]

E.L.

Land,
12217-1907.

(COPY)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

March 1, 1907.

The Honorable,
The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby, dated February 18, 1907, transmitting the record relative to the application of Hickman Hanley for enrollment as a Choctaw freedman, including the decision of the Commissioner, dated February 18, 1907, adverse to the applicant.

The decision of the Commissioner has been examined and found to be correct and the same is recommended for approval.

Respectfully,

C. F. Larrabee,
Acting Commissioner.

ERD-F.

Muskogee, Indian Territory, April 2, 1907.

Hankman Hensley,

Bokoshe, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application for your enrollment as a Choctaw freedman.

Respectfully,

Geo. D. Ledgerwood

Acting Commissioner.

17-D-155

Muskogee, Indian Territory, April 8, 1907.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 18, 1907, denying the application for the enrollment of Richman Hensley as a Choctaw freedman.

Respectfully,

Acting Commissioner.

17-135

Muskogee, Indian Territory, April 24, 1905.

Hickman Hensley,

Ward, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 15, 1905, stating that you will appear as soon as possible in the matter of your enrollment as a Choctaw freedman.

In reply to your letter you are advised that you should appear before the Commission as early as practicable in order that disposition may be made of your enrollment as a Choctaw freedman.

Respectfully,

Chairman.

[redacted]

Enclosure IND. TER. DIV.

Department of the Interior
RECEIVED
MAR 2 1907
c. No. 1 of No. 6842
Indian Territory Division

Shoc. H. D. 135

REFER IN REPLY TO THE FOLLOWING:

948/325

(COPY)

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

Land.
18347-1907.

March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby, dated February 18, 1907, transmitting the record relative to the application of Hickman Hensley for enrollment as a Choctaw freedman, including the decision of the Commissioner, dated February 18, 1907, adverse to the applicant.

The decision of the Commissioner has been examined and found to be correct and the same is recommended for approval.

Very respectfully,

G. F. Larrabee,

Acting Commissioner.

HRD-Y.

2135

Hickman Henoley

REFUSED. FEB 18 1907

RECORD FORWARDED TO DEPARTMENT.

FEB 18 1907

COPY OF DECISION FORWARDED APPLICANT. FEB 18 1907

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. FEB 18 1907

ACTION APPROVED BY SECRETARY OF INTERIOR. MAR 2 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. MAR 2 1907

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT.

Chec FR D-136 Ella Horn

FR D-136

In the application of Eliza Horn and others for enrollment as Choctaw freedman

Sworn by Commissioner McKennon

Henry Horn says:

I am 49. I am a U.S. citizen. My wife Eliza, 39 belonged to Lewis Choctaw We have children: Mattie, 17; Fannie, 14; Henry, 10; Gregory, 8, Wooty, 7:

My wife's mother was Mattie and they all belonged to William Lewis. They have lived in the Territory all the while until about 15 years ago.

Colbert, October 12th 1898.

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Denison, Texas, January 29, 1907.

In the matter of the application for the enrollment of Ella Horn and her children Mattie, Fannie, Henry, Gregory and Wooty Horn as Freedmen of the Choctaw Nation.

Henry Horn, being first duly questioned, testifies as follows:

ON BAHALF OF THE COMMISSIONER:

Q What is your name? A Henry Horn.
Q How old are you? A I am fifty-nine years old.
Q What is your postoffice address? A Denison, Texas, Rural Free Delivery route No. 5.
Q What is the name of your father? A Nero Horn.
Q What is the name of your mother? A Susan Horn.
Q Are you married? A Yes, sir.
Q What is the name of your wife? A Ella Horn.
Q What is the name of your wife's father? A Willian Lewis.
Q What is the name of your wife's mother? A Mattie Lewis.
Q How long have you been married to Ella Horn? A Twenty-eight years.
Q Where did you marry her? A Coffin County, Texas.
Q Have you any children by Ella Horn? A Yes, sir.
Q What are their names? A Mattie, Fannie, Henry, Gregory, Wooty and Pamilla Horn.
Q Where did you and your wife live immediately after you were married? A Coffin County, Texas, at Elmo.
Q How long did you live there? A Four years.
Q Where did you remove to from there? A Dallas.
Q How long did you live in Dallas? A Two and a half years.
Q Where did you remove to from Dallas? A Back to Elmo.
Q How long did you live at Elmo? A Three years.
Q Where did you remove to again from Elmo? A Denison, Texas.
Q Have you ever removed from Denison to any other town? A No, sir, not since I come here.
Q You have lived in Texas ever since you were married to Ella Horn, have you? A Yes, sir.
Q Has your wife been living with you ever since you two were married? A Yes, sir.
Q And she has never made her home in the Indian Territory for the last twenty-eight years? A No, sir.
Q Are all of these children, whom you have just named living? A Yes, sir.
Q Has your wife, Ella Horn ever made application for the enrollment of herself and children as freedmen of the Choctaw Nation? A No, sir, she never has.
Q Do you know if any body else has ever made application to have your children and Ella Horn enrolled? A No, sir, never have.
Q Were your wife's father or mother ever slaved during the war? A Yes, sir.
Q Who were their owners? A Lewis.
Q Did this Lewis own both the father and mother of your wife? A Yes, sir.
Q Was he an indian or a white man? A A white man.
Q Do you know where he lived? A In Mississippi.
Q And they were slaves in Mississippi? A Yes, sir.

Ellen Horn, being first duly questioned, testifies as follows:

ON BEHALF OF THE COMMISSIONER:

Q What is your name? A Ellen Horn.
Q Is Ellen Horn your correct name? A Yes, sir.
Q What is the name of your father? A William Barnes.
Q What is the name of your mother? A Mat Lewis.
Q Is she ever known as Mattie Lewis? A I just call her Mat.
Q Is that her correct name? A Yes, sir.
Q Were your father or mother slaves during the Civil War? A Yes, Sir.
Q Who were their owners? A I don't know what my father's owners name was before he came to be my mother's owner.
Q Did your mother's owner also own your father? A Yes, sir.
Q Who was the owner of your mother? A Dr. Fielder.
Q Was your mother ever owned by any other person? A Yes, sir. When she was grown up she said she belonged to McGruders.
Q Did any body by the name of Lewis ever own your mother or father? A No, sir, I don't know that.
Q Were your father or mother either owned by an indian? A Well I can't tell you whether they was owned by an indian or not.
Q You don't know if your father or mother ever was ever owned by an indian? A No, sir, but my father's mother was a half indian.
Q Where did your father's mother live? A Well that I don't know.
Q Do you know to what Nation or to what tribe your father's mother belonged? A We said she was a Choctaw.
Q Have you any papers to she to what tribe your father's mother belonged? A No, sir, I have none at all.
Q What is the name of your husband? A Henry Horn.
Q How long have you been married to Henry Horn? A We have been married twenty-seven years.
Q In what state or states or territory have you made your residence since you have been married to Henry Horn? A We just lived here.
Q What do you mean by here, the state of Texas? A Yes, sir. We have not been in any other state besides Texas since we was married.
Q You have never made your home in the Indian Territory since you were married to Henry Horn? A No, sir.
Q Did you ever live in Indian Territory before you were married to Henry Horn? A No, sir, we come from Mississippi.

(Witness excused)

[illegible]

17-D-124.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Ella Horn, et al, as Choctaw freedmen.

-: D E C I S I O N :-

It appears from the record herein that on October 12, 1898, at Colbert, Indian Territory, application was made to the Commission to the Five Civilized Tribes for the enrollment of Ella Horn and her minor children, Mattie Horn, Fannie Horn, Henry Horn, Gregory Horn and Polly Horn as Choctaw freedmen.

It further appears from the record herein that the principal applicant, Ella Horn, was born about the year 1859, but presents no evidence to show that she was the slave of a Choctaw Indian prior to the Treaty of Fort Smith; that the applicants [illegible] that the applicant Ella Horn was married about the year 1880 to the said Henry Horn in the state of Texas; that since their said marriage the principal applicant has resided continuously in the state of Texas up to and including September 25, 1902 and that the minor applicants herein have resided continuously in the state of Texas from the date of their birth up to and including September 25, 1902.

Inasmuch as it is clearly shown by the record herein that none of the applicants were residents in good faith of Indian Territory on June 28, 1898, it is immaterial to determine whether the principal applicant was a resident of the Choctaw Nation at the date of the Treaty of Fort Smith and had been held in slavery therein prior thereto or that she is the descendant of such a person.

I am of the opinion that the applicants, Ella Horn, Mattie Horn, Fannie Horn, Henry Horn, Gregory Horn and Polly Horn, are not entitled to enrollment as Choctaw freedmen and that the application for their enrollment as such should be denied under the provisions of the Act of Congress approved June 28, 1898 (30 Stat. 495), and [illegible]

Commissioner.

Muskogee, Indian Territory,

FEB 14 1907

17-D-136

COPY

Muskogee, Indian Territory, February 14, 1907.

Henry Horn,

Denison, Texas, R. F. D. #5

Dear Sir:-

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 14, 1907, denying the application for the enrollment of Ella Horn, Mattie Horn, Fannie Horn, Henry Horn, Gregory Horn and Wooty Horn as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Index 17-D-136

17-D-136

COPY

Muskogee, Indian Territory, February 14, 1907.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 14, 1907, denying the application for the enrollment of Ella Horn, Mattie Horn, Fannie Horn, Henry Horn, Gregory Horn and Booty Horn as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Encl. 17-D-136

COPY

Muskogee, Indian Territory, February 14, 1907

The Honorable

The Secretary of the Interior.

Sir:-

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Nila Horn, Mattie Horn, Fannie Horn, Henry Horn, Gregory Horn and Footy Horn as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated February 14, 1907, denying the application.

Respectfully,

SIGNED Tams Bixby

Commissioner.

2 Incl.

Through the
Commissioner of Indian Affairs.

J.P.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

S.P.

D.C. 12432-1907.
I.T.D. 2752,3440,5686,5688,5690-1907.
5692,5696,5704,5708,5710- "
5776,5782,5784,5786,5800- "
5802,5804,5820,5824,5842- "
5848,5854,5886,5888,5890- "
5918,5920,5944,5958,5962- "
5964,5968- "

March 2,1907.

LRS

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are inclosed.

Title of Case.		Date of your letter of transmittal.
John W. Betts, et al.		June 19,1906,
Rachel Dyer		December 20,1906,
Mary E. Price,	(intermarriage)	February 14,1907,
Ella Horn, et al.	(freedmen)	February 14,1907,
James R. Hardy	(freedman)	February 14,1907,
Andy Cotton	(freedman)	February 14,1907,
Oscar L. Stone	(intermarriage)	February 14,1907,
Arabia Henrich, et al.	(freedmen)	February 14,1907,
Charlotte McCurtain	(intermarriage)	February 14,1907,
Gleeson Phillips		February 14,1907,
[illegible]	(freedmen)	February 14,1907,
Lewis Tiya Springs	(freedmen)	February [illegible],1907,
[illegible] Green	(freedmen)	February 11,1907.

Title of case.	Date of your letter of transmittal.
Sam Stewart (Freedman)	February 11, 1907.
[illegible] et al., (freedman)	January 26, 1907.
Myrtle Dangerfield, et al., (freedmen)	January 26, 1907.
Lindsey Harlan (freedman)	February 13, 1907.
Melinda Lucas, et al. (Miss. Choc.)	February 12, 1907.
Inez Crunk, et al., (Miss. Choc.)	February 12, 1907.
Maggie Cotton (freedman)	February 8, 1907.
William F. Cook (Miss. Choc.)	February 11, 1907.
Warren Columbus Hunter, et al. (Miss. Choc.)	February 12, 1907.
Augustus Anderson (freedman)	February 13, 1907.
Albert Fulson, et al. (freedmen)	February 13, 1907.
Davis Dyer	February 13, 1907.
Martha J. Moore, et al.	December 22, 1906.
Nihl Daniels, et al. (freedmen)	February 14, 1907.
Melissa King, et al.	January 29, 1907.
Levi Germish, et al. (Miss. Choc.)	February 12, 1907.
John Roberts	January 26, 1907.
Joe P. Hunter (Miss. Choc.)	February 12, 1907.
Florence L. Roberts (Miss. Choc.)	February 12, 1907.

[illegible] copy hereof and the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

[illegible] W. Wilson,

Assistant Secretary.

Enc. [illegible]
Ret. to Ind. Off.

[illegible] No.
[illegible]

946/416

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

Land. WASHINGTON. February 27,1907.
15278-1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby, dated February 14,1907, transmitting the record relative to the application of Ella Horn, et al., for enrollment as a Choctaw freedman.

On October 13,1896, application was made to the Commission to the Five Civilized Tribes for the enrollment of Ella Horn and her minor children Mittie, Fannie, Henry, Gregory and Wooty Horn as Choctaw freedmen.

On February 14,1907, the Commissioner held that the applicants were not entitled to enrollment.

The decision of the Commissioner adverse to the applicants having been examined and found to be correct, I recommend its approval.

[illegible]

[illegible]

[illegible]

17-[illegible]

Muskogee, Indian Territory, April 4, 1907.

Henry Horn,

Denison, Texas, R.F.D. #8.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of this office of February 14, 1907, denying the application for the enrollment of Nile Horn, Mattie Horn, Fannie Horn, Henry Horn, Gregory Horn and Betty Horn as Choctaw freedmen.

Respectfully,

Geo. D. Rodgers.

Acting Commissioner.

17-D-136

Muskogee, Indian Territory, April 4, 1907.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March [illegible], 1907, the Secretary of the Interior affirmed the decision of this office of February 14, 1907, denying the application for the enrollment of Nila Horn, Mattie Horn, Fannie Horn, Henry Horn, Gregory Horn and Westy Horn as Choctaw freedmen.

Respectfully,

Geo. D. Rodgers,
Acting Commissioner.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. SCHERMERHORN.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-136.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, August 19, 1904.

Ella Horn,
Colbert, Indian Territory.

Dear Madam:

In the matter of the application for the enrollment of yourself and children as freedmen of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as such freedmen.

You are, therefore, requested to appear before the Commission at its general office, Muskogee, Indian Territory as soon as possible; or you may appear at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904; or at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

Respectfully,

Chairman.

REFER IN REPLY TO THE FOLLOWING:
17-D-136

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Dbd

Muskogee, Indian Territory, November 28, 1905.

Nila Horn, (Colored),
Care of Postmaster,
Colbert, Indian Territory.

Dear Madam:

In the matter of the application for enrollment of yourself and children as Choctaw Freedmen you are advised that it will be necessary for you to appear in person at this office at Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of testifying relative to your right as such freedman.

You are, therefore, requested to appear at this office as soon as possible, in order that the rights of yourself and children as Choctaw Freedmen may be properly determined.

Respectfully,

Geo. D. Rodgers
Acting Commissioner.

12432
Choc. A. D. 136

DEPARTMENT OF THE INTERIOR
RECORDED
FEB 28 1907
Enc. No. 1 of No. 5658
INDIAN TERRITORY DIVISION

946/416.

REFER IN REPLY TO THE FOLLOWING:

Land
16278-1907.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON. February 27, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Sixby, dated February 14, 1907, transmitting the record relative to the application of Ella Horn, et al., for enrollment as a Choctaw freedman.

On October 15, 1898, application was made to the Commission to the Five Civilized Tribes for the enrollment of Ella Horn and her minor children Hattie, Fannie, Henry, Gregory and Wesley Horn as Choctaw freedmen.

On February 14, 1907, the Commissioner held that the applicants were not entitled to enrollment.

The decision of the Commissioner adverse to the applicants having been examined and found to be correct is recommended for approval.

Very respectfully,

HRD-ALK.

Acting Commissioner.

Ella Horn et al

REFUSED. FEB 14 1907

COPY OF DECISION FORWARDED APPLICANT FEB 12 1907

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. FEB 1 1907

RECORD FORWARDED DEPARTMENT. FEB 14 1907

ACTION APPROVED BY SECRETARY OF INTERIOR. MAR 2 - 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. APR 4 - 1907

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT. APR 4 - 1907

Choc FR D-137 Calvin Hutchins

Refused

FR D-137

In re the application of Calvin Hutchins to the Commission to the Five Civilized Tribes at Spiro, I. T. June 14th. 1899 for enrollment as a Choctaw Freedman being duly sworn by Commissioner Needles and, examined by him et al he testified as follows:---

Q. What is your name? A. Calvin Hutchins.

Q. How old are you? A. Somewhere in forty.

Q. Were you born a slave? A. I guess I was.

Q. Who did you belong to? A. Robert Jones.

Q. Where were you turned loose at? A. Down here on Red River.

Q. Where did you go afterthat? A. To Ft Smith and from there back to to Texas and stayed there four or five years and then back to Ft Smith again and stayed there eight or ten years and then came here.

Lin Colbert being duly sworn testified as follows:----

Q. This man says he belonged to Robert Jones do you know anything about about him? A. I think his Father belonged to Robert Jones His Father was named Isom I think, and he was freed under Robert Jones.

Q. Where did the Isom Jones die that you knew? A. I don't know that he is dead I heard that he was dead.

Q. This man says as soon as he was freed he went to Ft Smith? A. I don't know anything about that, I didn't know him myself,

Calvin Hutchins re-examined.

Q. Are you married? A. Yes sir.

Q. Is your wife a citizen? A. No sir she is a statewoman.

You will have to get some proof that you were freed under Jones and also as to where you have been living since freedom.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer in above named Commission, that this transcript is a true and correct translation of my stenographic notes.

N A Smiley

17-D-187.

Copy

Muskogee, Indian Territory, August 19, 1904.

Calvin McGilbra,

Spring Indian Cemetery,

Dear Sir:

In the matter of your application for enrollment as a freedman of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to produce, for the purpose of testifying relative to your right to enrollment as such freedman.

You will be notified hereafter of the exact place and date of hearing, but it is desirable that the hearing be held as soon as possible; so at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904; or at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

Respectfully,

Signed Tams Bixby

Chairman.

Copy

17-D-137.

Muskogee, Indian Territory, April 6, 1905.

Calvin Hughins,

Spiro, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a Choctaw Freedman, you were advised by letter dated August 19, 1904, that it would be necessary for you to appear in person before the Commission together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to enrollment as a Choctaw Freedman.

You are again advised that [illegible]

[illegible] Commission at its office in Muskogee, Indian Territory, [illegible] with such witnesses as you may be able to procure for the purpose of testifying relative to your right to enrollment as a Choctaw Freedman.

Such appearance should be made at the earliest date possible, in order that disposition may be made of such application.

Respectfully,

(Signed) T B Needles

Commissioner in Charge.

17-D-137

Copy

Muskogee, Indian Territory, November 28, 1905.

Calvin Hutchins, (Colored),

Spiro, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a Choctaw Freedman you were advised on August 19, 1904, and also on April 6, 1905, that it would be necessary for you to appear in person at this office at Muskogee, Indian Territory, together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to enrollment as such Freedman.

You are again advised that before adjudication can be made of your application it will be necessary for you to appear at this office at Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of testifying relative to your right to enrollment as a Choctaw Freedman.

Such appearance should be made at the earliest date possible, in order that disposition may be made of such application.

Respectfully,

C. D. Rogers

Commissioner.

17-B-137.

DEPARTMENT OF THE INTERIOR.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

-I - - - - - - - - -

In the matter of the application for the enrollment of Calvin Hutchins as a Choctaw freedman.

-(D E C I S I O N)-

It appears from the record herein that on June 14, 1899, application was made to the Commission to the Five Civilized Tribes at Spiro, Indian Territory, for the enrollment of Calvin Hutchins as a Choctaw freedman.

Although ample opportunity has been afforded said applicant to offer satisfactory evidence that at the close of the [illegible] he was a slave of a Choctaw Indian and [illegible] a freedman of the Choctaw [illegible]

I am, therefore, of the opinion that, following the ruling of the Department in the cases of Elias Bryant, et al., (I.T.D. [illegible]), [illegible] (I.T.D. [illegible]), William Baker (I.T.D. [illegible]), [illegible] (I.T.D. [illegible]), [illegible] (I.T.D. [illegible]), [illegible] (I.T.D. [illegible]), [illegible] (I.T.D. [illegible]), [illegible] (I.T.D. [illegible]), [illegible] (I.T.D. [illegible]), and [illegible] (I.T.D. [illegible]), the application for the enrollment of Calvin Hutchins as a Choctaw freedman should be denied, under the provisions of the act of [illegible], approved June 28, 1898 (30 Stats., 496), and it is so ordered.

Muskogee, Indian Territory.

SEP 1 - 1906

Commissioner.

17-D-137

Muskogee, Indian Territory, September 1, 1906.

Calvin Hutchins,

Spiro, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered September 1, 1906, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Wm. O. Beall.

Acting Commissioner.

Registered.

Encl. 17-D-137.

IT-P-157.

Muskogee, Indian Territory, September 1, 1906.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
Muskogee, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered September 1, 1906, denying the application for the enrollment of Calvin Hutchins as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Wm. O. Beall,
Acting Commissioner.

Inclos. IT-P-157.

K.T.M.

DEPARTMENT OF THE INTERIOR, LLB

WASHINGTON.

LRS

[illegible]
I.T.D. 2165-1907.

Director,
Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

September 2, 1906, the Acting Commissioner transmitted the record in the matter of the application for the enrollment of Calvin Nathaniel as a Choctaw freedman, including your decision of the same date, adverse to the applicant.

Reporting February 7, 1907 (Land [illegible]-1906), the Indian Office recommended that your decision be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

The papers in the case and a carbon copy hereof have been sent to the Indian Office.

Respectfully,

[illegible] Ryan
First Assistant Secretary.

[illegible]

--Copy--

DEPARTMENT OF THE INTERIOR,

LAND
76273-1906

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

February 7, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is forwarded herewith report of the Acting Commission to the Five Civilized Tribes, dated September 1, 1906, relative to the application for the enrollment of Calvin Hutchins as a Choctaw freedman, including the decision of the Commissioner, dated September 1, 1906, denying the application.

Application was made to the Commission to the Five Civilized Tribes at Spiro, Indian Territory, on June 14, 1899, for the enrollment of Calvin Hutchins as a Choctaw freedman.

Upon examination was been given the applicant to show by satisfactory evidence that at the close of the war of the rebellion he was a slave of a Choctaw Indian and at the date of the treaty at Fort Smith a resident of the Choctaw and Chickasaw country, but he has failed to do so.

Following the Departmental ruling in the case of Eliza Bryant, et al. (I.T.D. 544-1904), it is recommended that the application be denied.

The record in the case is forwarded herewith.

Very respectfully,

[illegible]

Acting Commissioner.

[illegible]

17-D-137

Muskogee, Indian Territory, March 21, 1907.

Calvin Hutchins,

Spiro, Indian Territory.

Dear Sir:

You are hereby advised that on February 13, 1907, the Secretary of the Interior affirmed the decision of this office of September 1, 1906, denying the application for your enrollment as a Choctaw freedman.

Respectfully,

Commissioner.

17-D-137.

Muskogee, Indian Territory, March 21, 1907.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on February 13, 1907, the Secretary of the Interior affirmed the decision of this office of September 1, 1906, denying the application for the enrollment of Calvin Hutchins as a Choctaw freedman.

Respectfully,

Commissioner.

Department of the Interior.

Commissioner to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

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257

Mdy

SEP 22 1906 I. T. REGISTERED.

OFFICIAL BUSINESS PENALTY FOR PRIVATE USE $300

~~Calvin Hutchins,~~

~~Spiro, Indian Territory.~~

A. 168.

3166

SPIRO, IND. T.
SEP 1 1906
REC'D.

SPIRO, IND. T.
SEP 1 1906
REC'D.

OCT 8 12 M 1906
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MUSKOGEE, IND. T.
OCT 8 1906
REG. DIV.

REFER IN REPLY TO THE FOLLOWING:
17-D-137

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, September 1, 1906.

Calvin Hutchins,

Spiro, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered September 1, 1906, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

W. O. Beall

Acting Commissioner.

Registered.

Inch. IV-D-137.

CHOCTAW FREEDMEN

Calvin Hutchins

DECISION RENDERED 1906

COPY OF DECISION ENTERED

APPLICANT 1906

ATTORNEY FOR CHOCTAW AND CHICKASAW NATIONS 1906

RECORD FOR INTERIOR DEPARTMENT.

ACTION APPROVED BY SECRETARY OF INTERIOR FEB 1 1907

NOTICE OF DEPARTMENTAL ACTION ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS 2 1 1907

NOTICE OF DEPARTMENTAL ACTION

Choc FR. Dolor

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and record here to choc FR 1506

May 29 1905

0-138

Muskogee, Indian Territory, November 23, 1900.

Albert Rennie,

Attorney at Law,

Paula Valley, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 19th instant enclosing the application for enrollment as a Choctaw freedman of Whitfield Littlejohn, the infant son of John and Willie Littlejohn, born October 24th, 1900 and also containing information as to John Littlejohn's appearance before this Commission as an applicant for the enrollment of himself and his family as Choctaw freedmen.

The information in your letter has enabled the Commission to identify the parents of this child as applicants for enrollment as Choctaw freedmen, who appeared before the Commission at Paula Valley on November 16th, 1898 and in whose behalf there has been considerable testimony presented to the Commission.

[illegible] the enrollment of these applicants as Choctaw freedmen but pending such action, the application for the enrollment of Whitfield Littlejohn will be filed with the other papers in this case as evidence of the birth of this child and his rights will be passed upon at the same time as those of the parties to the original proceedings made to the Commission at Paula Valley in 1898.

Yours truly,

Tams Bixby,

Chairman.

17-D239

Muskogee, Indian Territory, December 2, 1906.

[illegible]

[illegible], Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the certified copy of the marriage license and certificate between John Littlejohn and [illegible] James, dated October 3, 1879. Also certified copy of the marriage license and [illegible] dated [illegible] 14, [illegible] are offered in support of your application for the enrollment of yourself and your children as [illegible] in this case.

[illegible]

Chairman.

I-2139

[illegible], Indian Territory, June 25, 1906.

[illegible]

Muskogee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th inst., requesting that a copy of the testimony in support of the application for enrollment of your husband, John Kittleston and the other members of his family as Cherokee freedmen be forwarded you.

You are advised that there are not extra copies of the [illegible] and it will therefore be impossible to furnish you the copy requested.

You however, can get a competent stenographer or [illegible] in this city to do such work for you at reasonable [illegible].

Respectfully,

Commissioner in Charge

Choctaw Freedmen,
D-1.

Muskogee, Indian Territory, July 25, 1904.

Albert Rennie,

Attorney at Law,

Paula Valley, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 13, in which you state that you have been employed by Willie Littlejohn, widow of John Littlejohn, to look after the enrollment of her husband and children as Choctaw Freedmen. You state that Mrs. Littlejohn is unable to pay your expenses to Muskogee for the purpose of making [illegible] here, and you therefore request to be furnished a copy thereof.

In reply to your letter, you are informed that there are not sufficient copies of the testimony on file in the matter of the application of John Littlejohn for the enrollment of himself and his seven minor children as Choctaw Freedmen, to permit the withdrawal of one copy from the files.

You are informed, however, that the Commission will hold an appointment at the Choctaw Land Office, Atoka, Indian Territory, September 6 and 7, 1904, and at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8 and 9, 1904, at which time testimony may be submitted in support of this application if it is so desired.

You are further advised that if you will make some stenographer [illegible] available to make copies of the testimony in this case, he will be allowed access to the files for this purpose.

Respectfully,

Commissioner in Charge.

Choctaw Freedman
D 139

Muskogee, Indian Territory, August 17, 1904.

Willie Littlejohn,
Maxwell, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of August 11, inclosing the affidavits of Noah McGill and Roberson Kemp relative to the right to enrollment of your husband, John Littlejohn, now deceased, and the same have been filed with the record in the matter of his application for the enrollment of himself and his seven children as Choctaw freedmen.

Respectfully,

Commissioner in Charge.

Choctaw Dr. D 139
Choctaw 46
Chickasaw 6 6

Muskogee, Indian Territory, August 28, 1904.

I. B. Grigsby,

Ada, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of August 2, asking the status of the applications of the following persons for enrollment:

John Allen, his wife, Molly Allen, and their children,
W. J. or J. H. Sparks,
John Littlejohn, his wife, and children.

In reply to your letter you are advised that the Commission [illegible] the application of Mary I. Allen for the enrollment of herself and her children, Eva Catherine, James Riger and Ruskin W. Allen, and the application of her husband, John O. Allen for enrollment as citizens of the Choctaw Nation, and when a decision has been reached in this case they will be notified of the action taken.

You are further advised that the application of J. W. Sparks for citizenship in the Chickasaw Nation is now pending before the Choctaw and Chickasaw Citizenship Court, and for information as to the status you should address the Clerk of that Court.

You are informed that the Commission has not yet passed upon the application of John Littlejohn for the enrollment and

[illegible]

[illegible]

[illegible]

W-2554
17-D-116
17-D-128

Muskogee, Indian Territory, October 7, 1904.

J. S. Grigsby,
Attorney at Law,
Ada, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of September [illegible], 1904, returning a copy of the order of the Commission to the Five Civilized Tribes dated September [illegible], 1904, dismissing the application for enrollment of David Hilton as a citizen by blood of the Chickasaw Nation, stating that you have never at any time [illegible] in the proceedings relative to the status of the application for enrollment of Jackson Lewis and his son Joe Lewis, and of John Williams, his wife and minor children.

You are advised that the Commission has not yet determined the status to be accorded as Chickasaw freedmen of Jackson Lewis and his son Joe Lewis.

You are further advised it appears from the testimony that Willis Blackburn, wife of John Williams, is a non citizen and member of his family consisting of Emma, Mary, Peter, Maggie [illegible] Transferred as [illegible]

J. L. S. Pr

The request for plats of lands will be made the subject of a separate communication.

Respectfully,

Chairman.

17-D-188

Muskogee, Indian Territory, November 17, 1904.

Willie Littlejohn,

Tishomingo, Indian Territory.

Dear Madam:-

Receipt is hereby acknowledged of your letter without date asking what action will be taken in the application of your husband John Littlejohn as a Choctaw freedman.

In reply to your letter you are informed that the Commission has not yet passed upon the application of John Littlejohn for enrollment of himself and children as Choctaw freedmen, [illegible] be notified of the action taken therein.

Pending the consideration of the decision in this case it is [illegible] to the [illegible] of the Commission thereon.

Respectfully,

Chairman.

D

17-D-139

Muskogee, Indian Territory, February 2, 1905.

Mrs. Frances Littlejohn,

Pauls Valley, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of January 19, 1905, addressed to the Secretary of the Interior which has been by him referred to the Commission for consideration and appropriate action. Therein you ask the status of the enrollment of [illegible] children who claim that your husband is a citizen [illegible] Indian descent by race.

In reply to your letter you are informed that the Commission has not yet acted upon the application for enrollment of John Littlejohn and his minor children in Chickasaw [illegible] when a decision is reached therein you will be notified of the action taken.

Respectfully,

Chairman.

FRISCO
System

Law Department
F.L. Soper, Solicitor for Ind. Tec.
Albert Rennie, Local Attorney

Purcell Valley, I. T., February 9, 1905.

Hon. Commission to the Five Civilized Tribes,

Muskogee, I.T.

Hon. Sirs:-

Re 17-D-159.

It is true as stated in your favor of the 7th inst. that I notified the Commission that I had been employed by Willie Littlejohn widow of John Littlejohn, to look after the enrollment of her husband and children as Choctaw freedmen.

I did not know the status of the case and John Littlejohn who was the only conversant with it having been murdered, I wrote the Commission for a copy of the testimony that had already been submitted and received a reply that the Commission could not take the time to furnish a copy of the testimony.

Willie Littlejohn now lives at Purcell Valley and is washing for the support of herself and her orphaned children and not the means to pay a stenographer to make a copy of the testimony to date, and I know of no one who has any such interest in her welfare that would come down to advance the money and I have advised Mrs. Littlejohn that I had no authority further for her with the Commission.

(1)

17-D-139

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 28, 1905.

Mrs. Willie Littlejohn,

Pauls Valley, Indian Territory.

Dear Madam:

In the matter of the application for the enrollment of your husband and your children as Choctaw Freedmen you are advised that the evidence on file in this office is insufficient to determine the rights of your said husband, John Littlejohn, and children as Choctaw Freedmen.

You are hereby notified that you will be allowed thirty days from date hereof to furnish such oral testimony as you may be able to produce, showing who was the actual owner of your husband at the close of the war and his residence from that date up to and including December 25, 1902.

It is claimed that your husband was not the slave of a Choctaw Indian at the close of the war, and that he did not reside in the Choctaw Nation for several years afterward.

This matter should receive your prompt attention.

Respectfully,

Geo. D. Rogers
Acting Commissioner.

9-B-383
17-D-139

Muskogee, Indian Territory, December 20, 1905.

Shelton Beard,

Tishomingo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 15, 1905, asking if any action has been taken in the Chickasaw intermarried case of John Irwin or the Choctaw freedman case of the heirs of John Littlejohn.

In reply to your letter you are advised that this office is now considering the application of John S. Irwin for his enrollment as an intermarried citizen of the Chickasaw Nation and when a decision is reached you will be notified of the action taken.

You are further advised that no action has yet been taken in the matter of the application for the enrollment of [illegible] Littlejohn or his children, but you will be notified of any action as is taken therein.

Respectfully,

Commissioner.

27-D-139

Muskogee, Indian Territory, June 11, 1906.

S. Heard,

Attorney at Law,

Tishomingo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 3, 1906, in which you ask if any action has been taken in the matter of the application of John Littlejohn et al., for enrollment as Choctaw freedmen.

In reply to your letter you are advised that no action has yet been reached in this case. You will be notified of such action as is taken therein.

Respectfully,

Commissioner.

17D13B.

Muskogee, Indian Territory, December 28, 1906.

S. Beard,
Tishomingo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 19, asking if an order has been entered in the matter of the application of John Littlejohn for enrollment as a Choctaw freedman.

In reply you are advised that no decision has yet been reached in this case but you will be duly notified when action is taken therein.

Respectfully,

Acting Commissioner.

Dated
20837-1907.

COPY.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed report of Commissioner Sisty dated February 23, 1907, transmitting the record in the matter of the application for the enrollment of John Littlejohn, Erasmus Littlejohn, Rose Littlejohn, Royce Littlejohn, Rose E. Littlejohn, Alzora Littlejohn, Clarina Littlejohn and Whitfield Littlejohn as Choctaw freedmen, including the Commissioner's decision of February 23, 1907, rejecting the application.

The record has been examined, and the Office concurs in the findings of the Commissioner and recommends their acceptance.

Very respectfully,

E. B. Marrubee,

Acting Commissioner.

EMW-W.

D.O.12824
L.R.S.

J.R.
O.K.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

I.T.D.
6976, 6994, 6126, 6140-97,
6182, 6775, 6965, 6170-97,
6178, 6183, 6142, 6147-97,
6188, 6192, 6143, 6148-97,
6216, 6996, 6144, 6149-97,
6218, 6998, 6997, 6201-97,
6220, 6994, 6016, 6202-97.

March 2, 1897.

[redacted].

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Your decisions in the following Chester citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are enclosed.

Name of Case.	Date of Your Letter of Transmittal.
[redacted]	[redacted]

Title of Case. | Date of Departmental Letter of Transmittal.

[illegible] (Freedmen). [illegible]

[illegible]

[illegible], (Intermarried). [illegible] 13, 1907.

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

James E. Wilson,

Assistant Secretary.

[illegible] inc. and [illegible] inc.
For Indian Office.

[illegible]

R.C.[illegible] J.P.
L.R.B. G.K.

[redacted]

[redacted]

March 2, 1907.

[redacted]

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Your decisions in the following Cherokee citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are enclosed.

With [illegible]. Letter of Transmittal.

[redacted]

Title of Case.	Date of Your Letter of Transmittal.
Frances and Viola Brunson (Freedmen),	February 14, 1907.
Hattie Smith (Freedman),	February 18, 1907.
Ora Williams (Freedman),	February 22, 1907.
William F. [illegible],	February 22, 1907.
Vera and Ruth Hickman,	February 18, 1907.
Annie [illegible] (Freedman),	February 14, 1907.
Francis [illegible],	February 21, 1907.
J. V. Hickman et al.,	February 15, 1907.
Sam W. and Joe A. Polin,	February 22, 1907.
Eva Wright,	November 22, 1906.
Thomas E. Stearns, (intermarried),	February 19, 1907.

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

26 inc. and 26 inc.
for Indian Office.

W.G.J.
[illegible]

[illegible]
[illegible].

[illegible],

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON,

March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed report of Commissioner Leavitt dated February 23, 1907, transmitting the report in the matter of the application for the enrollment of John Littlejohn, Bruce Littlejohn, Tom Littlejohn, Joyce Littlejohn, Rose V. Littlejohn, Albert Littlejohn, Charles Littlejohn and Wakefield Littlejohn as Choctaw freedmen, including the Commissioner's decision of February 23, 1907, rejecting the applications.

The record has been examined, and the Office concurs in the findings of the Commissioner and recommends that [illegible]

Very respectfully,

[illegible]

Acting Commissioner.

[illegible]1909

Muskogee, Oklahoma, January 9, 1909.

Willie Littlejohn,
Weleetka, Oklahoma,

Madam:

Receipt is hereby acknowledged of your letter of January 1, asking what has been done with the application for the enrollment of your husband, John Littlejohn, and your seven children, and in reply you are advised that on February 23, 1907, the Commissioner to the Five Civilized Tribes denied the application for the enrollment of John Littlejohn and his [illegible]

action was approved by the Department.

You are informed that the rolls of citizenship of the Five Civilized Tribes were closed on March 4, 1907, and that [illegible] which is now within the jurisdiction of Congress or [illegible] [illegible] for enrollment as a citizen [illegible] [illegible] has been [illegible] [illegible] in the Five Civilized Tribes [illegible]

reopening of the rolls in the future.

Respectfully,

Acting Commissioner.

AB

17 D - 139.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Muskogee, Indian Territory, October 15, 1903.

---------o---------

In the matter of the application of John Littlejoh and his children, Erasmus, Esau, Boyce, Moses W., Elzora, Clorena and Whitfield Littlejohn, for enrollment as Choctaw Freedmen.

JOHN LITTLEJOHN, being sworn, testified as follows:

EXAMINATION BY THE COMMISSION.

Q Your name is John Littlejohn? A Yes, sir.
Q Where do you live? A I now live in the Chickasaw Nation.
Q What is your post-office address? A McGee, Indian Territory.
Q How long have youlived in the Chickasaw Nation? A About thirteen years.
Q Where did you live prior to that? A I lived in Texas and some time in the Choctaw Nation - principally raised around Paris, Texas.
Q How old are you? A Forty-five.
Q Were you born a slave? A Yes, sir.
Q What is your father's name? A Phillip Colbert.
Q What was he? A He was a Choctaw.
Q Choctaw Indian? A Choctaw Freedman, he was a half Indian, as near as I can remember.
Q What is your mother's name? A Debbie. She belonged to Billy Littlejohn.
Q Who was the owner of your father? A Robert Jones - really I don't know - it seems to me that he fell in the hands of Robert Jones or some of the heirs - I was quite small, I don't remember - he did belong to George Colbert one day, Robert Jones was a son-in-law of Colbert.
Q Where were you when the slaves were freed? A I was with Robert Jones at that time.
Q With your father or with your mother? A I was with my father - my father's people.
Q How old were you at that time, do you remember? A Really I can't remember, I can just remember being changed hands.
Q Where were you when the treaty of Fort Smith was signed?
A Really I don't know, I was quite small and I could not tell you.
Q How long after youwere freed did you remain in Indian Territory?
A Why, really I don't know, I was kept there by my father's people awhile and about that time he died, about the time of freedom and really I don't know what became of me; he went to the war and died and after he had died I was carried back to my mother.
Q Where was she? A In Texas.
Q So that at the time of the treaty of Fort Smith you don't know whether you lived in the Indian Territory or whether you lived in Texas? A No, sir, I know I was in the territory after

freedom, but the treaties I don't know anything about that - I don't remember anything about treaties, or anything of that kind. I was quite small. I can just remember of being carried on freight wagons backwards and forwards.

Q But you must have been about eight or nine years old when you were freed? A I was somewhere about seven or eight, I reckon.

Q How long did you remain in Texas? A Why, I was just backwards and forwards, it was just across the river from where I lived and Texas was my principal home amongst my mother's folks, and I was on both sides of the river a good deal and visited my father's people a lot on this side, would stay with them awhile.

Q Where did your mother live at the time you were freed?

A In Texas, and always did live there.

Q But your father lived in the territory? A Yes, sir, he did.

Q And belonged to whom? A Robert Jones.

Q And when did your father die, yousay? A He died - he went away to the war and died sometime about the breaking up of the war - that is, when we were freed, sometime along about that time, just exactly what time I don't know.

Q Are you a married man? A Yes, sir.

Q What is the name of your wife? A My present wife?

Q Name your first wife first. A Sarah Jones her name was.

Q Where did you marry her? A I married her in Paris, Texas.

Q Where were youliving at that time? A I was living south of Paris, Texas, about eleven miles.

Q When did you marry Sarah Jones? A I married her in '80, I guess, about 1880, as near as I can remember.

Q How long had you lived in Texas at that time when you married Sarah Jones? A Why, after I was married I lived there about three years and moved to the Choctaw nation to live.

Q In '83 then, you moved back to the Choctaw nation? A. Yes, sir.

Q How long had you lived in Texas prior to your marriage to Sarah Jones? A I lived there from just after the war up until I was about twenty or twenty-one and married Sarah Jones, and in the meantime of that time I lived in the Choctaw Nation about two or three years of this time.

Q Now, isn't it a matter of fact that up to the time - up until 1883 your home had always been in Texas? A Until then?

Q Yes? A That is, from the time after the war?

Q Yes? A I lived in the territory a good deal of this time - that is, I didn't live long at a time, I would go with my father's peopleand stayed six months and some times a year and back, but not more than three years I guess in all the time I visited them.

Q Didn't you have any permanent home at all? A Well, before I was married, of course, me and all the rest of the boys was wild.

Q You didn't have a home at all, is that what you mean? A. Yes, sir, we didn't have any special home only we called where we lived, or the country we was in our home.

Q Who clothed and fed you? A After I got to be a boy twelve years old I clothed myself.

Q Who clothed you before you were twelve years of age? A Indeed, I can't tell you, I was in the hands of my father's folks and my mother's folks and when I was quite small I don't know who did clothe and feed me, it was different ones.

Q Your father wasn't alive? A He was in the war.

Q But your mother was in Texas? A Yes, sir, and died when I was twelve years of age.

Q Isn't it a fact you lived in Texas with your mother from the time you were twelve years of age? A After the war I was

traded away from my mother, was traded to Robert Jones for a lot of stock that was in across the river, Robert Jones had a lot of stock there and I was traded for that stock.
Q What was Robert Jones, a Choctaw or Chickasaw? A A Choctaw, as near as I can remember now, that he was a Choctaw.
Q How did you happen to get separated from your mother? A Why, my father was a stock-man and he had Robert Jones to buy me and bring me back to his people on Choctaw sides, my understanding - it was during the war he traded this stock.
Q Were you legally married to Sarah Jones? A Yes, sir.
Q Did you have a marriage certificate when you married Sarah Jones? A No, sir, I bought a license, I was married with a license, but I never got a certificate.
Q Have you got that with you now? A My certificate, no, sir, I havn't.
Q I am speaking about the one to Sarah Jones. A No, sir, I havn't with either one a marriage certificate, but I can get it.
Q Did you have any children by Sarah? A Yes, sir, only one.
Q What is his name? A Erasmus.
Q Where was he born? A He was born in Texas.
Q Did Sarah Jones die? A Yes, sir.
Q When did she die? A She died in about '85, I reckon, '85, as near as I can remember.
Q By whom were you married to her? A Oh, there was a man by the name of Free Jones, a colored preacher, married us.
Q A minister of the gospel? A Yes, sir, that is what he called himself, a Baptist.
Q What is your present wife's name? A Willie Littlejohn.
Q She dosn't claim any rights in the Territory does she?
A Why, no, sir.
Q She is a non-citizen? A Yes, sir.
Q How many children have you by your second wife? A I have seven in all, but only six that I have made application for.
Q What are their names. A Esau, Boyce, Moses W., Elzora, Clorena and Whitfield.
Q Since 1883 have you lived continuously in the Indian Territory?
A Why, no, sir, not continuously since 1883, but since 1885 I have.
Q Have yougot any property at all in the Indian Territory?
A Yes, sir, I have.
Q Where? A Why, near Maxwell, north of McGee about twelve miles.
Q What kind of property is that? A I have two milch cows and horses and I have a farm over there.
Q How long have you had that farm? A The farm that I now live on I have owned it for about eleven years - I leased it about eleven years ago and I got possession of it about twelve months ago. I have two farms there.
Q Where were you living on April 28, 1866, the date of the Fort Smith treaty? A In the Choctaw Nation, there is no question about that.
Q You swear positively to that fact? A Yes, sir, I was in the Choctaw nation.
Q And with whom were you living at that time? A I was with some of the relations of my father at that time.
Q How come you to remember it now when you couldn't remember it awhile ago? A I remember I wasn't turned over to my mother's people until after the war.
Q This was after the war? A Probably at that date I may have been in Texas, I can't say that I was. I know after the war I was, I don't say that date.

Q How long after the war closed did you stay there? A Really I couldn't tell you, I was quite small, I don't remember how long it was. I know after the war was all over and we were all freed and the old plantation gone, I know I stayed there, I don't know now the date or anything, I was too little to know anything about dates.
Q Isn't it a fact that after the close of the war you were with your mother in Texas? A Really I don't - after the close you say?
A I mean at the close, when the war ended, where were you?
A In the Choctaw nation.
Q How long after the close of the war did you move to Texas?
A Really I don't know.
Q About how long? A I could not tell you, it must have been pretty close to when the first free schools were established in Texas.
Q Are there any of the members of your family applicants for enrollment as Choctaw freedmen? A Do I know any of them?
Q Yes? A Really I don't.
Q Got any brothers and sisters? A No, sir, I am the only one, my brothers and sisters are all dead.
Q Have you anything more to say for yourself? A About the question that you asked me just now about the mebers of my family, did you have reference to any other relatives to my mother's folks?
Q Yes? A I know of some in the Chickasaw nation.
Q What are their names? A There is Sadie Williams, I believe, Lina Johnson, and there is Vina - I don't remember her other name, I have seen her but two or three times, I saw her not long ago.
Q Was Billy Littlejohn, the owner of your mother, a Choctaw or Chickasaw? A He was a white man.

ROBERT LOWE, being sworn, testified as follows:

EXAMINATION BY THE COMMISSION.

Q What is your name? A Robert Lowe.
Q How old are you? A About seventy.
Q What are you? A A Creek citizen.
Q Are you on the final roll? A Yes, sir.
Q Do you know John Littlejohn? A Yes, sir.
Q How long have you known him? A I knowed him before he knowed his own self, I think.
Q You knew him when he was a very little boy you mean? A.Yes, sir.
Q Where were you living at the time you first knew him?
A I was just travelling through the territory.
Q Were you a slave? A Yes, sir.
Q To whom did you belong at that time? A I was belonging to the principal chief of this nation.
Q What is his name? A Mota Canard.
Q Where did you first see John Littlejohn? A At Robert Jones' Lake West farm.
Q Where was that? A That was in the Choctaw nation, down below Martha Boggy, where Boggy runs into the Red River.
Q What were you doing there at that time? A I was a waiter or body servant of Captain Severs and Lieutenant Woods.
Q What were they doing there at that time? A Well, at the close of the war, we made a run - I was with Captain in the

southern army, the first regiment, we made a run and Captain Severs carried me first in the State of Texas and then on this side. That was my business to Robert Jones' farm.
Q What makes you think this is the same one? A Well, from the older ones.
Q How old was he at that time? A He was just a little bit of a shaver, as near as I can remember, I know him from the older ones. It is the little boy I saw knocking around at Lake West farm, I knowed him from that time on.
Q Did you know his father? A No, sir, just simply heard ~~his name~~ of him. I knowed his grand-father.
Q On his father or mother's side? A On his father's side.
Q Who was he? A Phillip Jones, he was called.
Q Was Robert Jones a Choctaw? A Yes, sir.
Q When did you see John Littlejohn after that? A Oh, after the closing of the war I met him in the Choctaw nation as I was going back and forth Smith, the next place I saw him to know him in the Choctaw nation.
Q Where? A Down near the mouth of Poteau River, Poteau runs to Arkansas, that big valley there, I used to travel back and forth there to Fort Smith as an interpreter to the United States Courts. That is where I saw this little boy.
Q What was he doing about that time? A Living first with some people, then another, in the Choctaw nation.
Q Where did he make his home at that time, if you know?
A No, sir, just there in the Choctaw nation, I saw him several different times when I would be passingthrough Fort Smith.
Q Where did you see him after that? A I saw him in Paris, Texas after I got to ~~be~~ interpreting at Paris courts.
Q Did you know his folks down in Texas? A No, sir.
Q Did you know his mother? A No, sir.
Q As a matter of fact, you don't know about this boy's father or his mother either? A No, sir, I knowed his grand-father, called Phillip.
Q You saw him at Robert Jones' ranch in the Choctaw nation at the close of the war? A Yes, sir.
Q Do you know whether he belonged to Robert Jones or not?
A Yes, sir, that is what they told me right at that time, and his grand-father is an uncle of my mother -in-law, Sadie Williams, some call her Sadie Williams and some Sadie Colbert.
Q When was the first time that you saw him in Paris, Texas?
A That was the first time I saw him in Paris, Texas, after I saw him in Poteau bottom. It was after the court split up, some went to Paris and some some place else.
Q You don't know what yearthat was? A No, sir.
Q You don't know what year it was you saw him in the Poteau Bottom? A That was a good while after the war, a couple of years or so.
Q A couple of years after the end of the war? A Oh, yes,sir, as far as I can remember, it was after the court ~~went~~ went to Fort Smith, I used to go there, I saw him in Poteau bottom.
Q You have been interpreter for the Creek nation? A Yes,sir, for the Creek and Seminole at Fort Smith.
Q And also at Paris? A Yes, sir.
Q Official interpreter? A Yes, sir, Official Creel and Seminole interpreter.
Q You can talk Creek and Seminole? A Yes, sir, I can talk that better than I can talk English.
Q Since you saw him the first time in Paris, Texas, have you seen him often since then? A Yes, sir, often in the Chickasaw nation, he goes to see his great aunt, that was my mother-in-law, and my folks know more about him and his relatives than I do. My mother-in-law knows him well, Sadie Williams.

Q Do you know anything at all about his wife Sarah? A No, sir,
Q Never saw his wife? A Yes, sir, I know the woman he is living with now. I don't exactly know her name, but I know her when I see her.
Q You have stated all you know about this young man now? A. Yes, sir, I guess that is about all, I knowed his grandfather Phillip, seen him at Robert Jones' farm at the close of the war, and I know this young man, I have kept track of him all the time and he has always passed and I know him to be a Choctaw citizen so far as I could learn from the older ones, Robert Jones' cousins, and my mother-in-law.
Q How long have you lived in the Chickasaw nation? A I have been living in the Chickasaw nation since the close of the war.
Q How far do you live from John Littlejohn now? A About thirty-five miles, I reckon.
Q Where do you get your mail? A Okra, I. T.

JOHN LITTLEJOHN, being re-called, testified as follows:

EXAMINATION BY THE COMMISSION.

Q Have you ever been recognized by the tribal authorities of the Choctaw nation? A Why, they have tried to when I was in Texas, and have had all invitation to come here.
Q You don't mean to say the Choctaw nation went down and invited you? A That was just the citizens that knew I belonged to that side when I was in Paris.

EMILIE A. COTE, being duly sworn, on oath states, that as stenographer to the Commission to the Five Civilized Tribes, she reported in full the proceed — ngs had in said cause on said date, and that the above and foregoing is a full, true and correct transcript of her stenographic notes taken in said cause on said date.

Emilie A. Cote

Subscribed and sworn to before me,)
this 15th day of October, 1903.)

Charles N. Sawyer
Notary Public.

C O P Y.

LETTERS OF GUARDIANSHIP.

UNITED STATES OF AMERICA,
INDIAN TERRITORY, ss.
SOUTHERN DISTRICT.

TO ALL TO WHOM THESE PRESENTS SHALL COME— GREETING:

KNOW YE, THAT WHEREAS, Mrs. Willie Littlejohn, has on this day by the United States Court in Probate in and for the said Southern District in the Indian Territory, been appointed Guardian for Ness Littlejohn, Boyce Littlejohn, Moses Wiley Littlejohn, Alsera Littlejohn, Clorener Littlejohn, Whitfield Littlejohn & Marvin Lamentine Littlejohn, minors under the age of 21 years, by her entering into bond to the United States of America, for the use of said minor in the sum of Five Hundred Dollars, and whereas, the said Willie Littlejohn has this day filed her Bond in such sum to the United States of America, for the use of said minors, which said Bond stands approved by the Court.

NOW, THEREFORE, she, the said Willie Littlejohn is hereby authorized and empowered to collect and receive all moneys, property and effects that are now, or hereafter may become due to her said wards, and in general to do and perform all and singular the duties devolving upon her as such Guardian by law, or that may be enjoined upon her by the lawful order, sentence or decree of any Court having competent jurisdiction.

IN TESTIMONY THEREOF, I, C. M. Campbell, Clerk of the United States Court in Probate, in and for the said Southern District in the Indian Territory, hereto set my hand and affix the seal of said Court, at my office in Pauls Valley, this 26" day of March, A.D. 1904.

(Seal)

C. M. Campbell,
Clerk U. S. Court, Southern District,
Indian Territory.
By S. H. Wootten Deputy.

No. 167. LETTERS OF GUARDIANSHIP GRANTED TO Mrs. Willie Littlejohn Guardian of Ness, Boyce, Moses Wiley, Alsera, Clorener, Whitfield and Marvin Lamentine Littlejohn Minors. Filed the 26" day of March A.D. 1904. C. M. Campbell, Clerk. By S. H. Wootten, Deputy. Recorded the 26" day of March, A.D. 1904, in Guardian Record A, Page 82.

I, Helen C. Miller, Stenographer for the Commission to the Five Civilized Tribes hereby certify that the above is a correct copy of the appointment of Mrs. Willie Littlejohn as guardian of Ness, Boyce, Moses Wiley, Alsera, Clorener, Whitfield and Marvin Lamentine Littlejohn, Minors. Filed the 26" day of March, A.D. 1904. C. M. Campbell, Clerk. By S.H. Wootten, Deputy. Recorded the 26" day of March, A.D. 1904, in Guardian Record A, Page 82.

Helen C. Miller.

Subscribed and sworn to before me this 11th day of August, 1904.

J. H. Vaulock
Notary Public.

[illegible]

[illegible] Littlejohn was Whitfield Littlejohn [illegible]

Willie Littlejohn being first duly sworn testifies as follows:

EXAMINATION BY THE COMMISSION:

Q What is your name? A Willie Littlejohn.
Q What is your age? A Thirty-one.
Q Where do you live? A Pauls Valley.
Q Was John Littlejohn, who is an applicant to this Commission for enrollment as a Choctaw Freedman, your husband? A [illegible]
[illegible] Yes, sir, he was assassinated the [illegible]
[illegible] his children? A Yes, sir, his [illegible] by his first wife.
Q Is he not your son? A No, sir.
Q Are Mack Boyce, Moses W. Alcofa, Clarena and Whitfield Littlejohn your children? A Yes, sir.
Q [illegible] also the children of John Littlejohn? A Yes, sir.
Q Do you know where Erasmus Littlejohn was born? A No, sir.
Q Do you know how old he is? A Yes, sir, I think I do - Erasmus is some where about twenty-two I think.
Q Where is he living? A He is living in Shawnee.
Q Is that in Indian Territory? A No, sir, in Oklahoma.
Q Do you know how long he has been over in Oklahoma? A He has been over there about four months cooking.
Q How old was he at the time you married John Littlejohn? A He was about six years old.
Q Do you know where he has lived since then? A Yes, [illegible]
[illegible] when he came to live with you? A He [illegible] was thirteen years old.
Q Do you know where he has lived since then? A Yes, sir, [illegible] Territory.
Q [illegible] of your own knowledge? A Yes, sir, [illegible] Fred him about every four months.
Q [illegible] your son is not? A Yes, sir.
Q [illegible] as my father's [illegible] live in Texas? A [illegible] No, [illegible]

17-2-149.

Q [illegible] time you married at the time Essie was born? A Yes, sir. I was starting to be [illegible] Q You married [illegible] about six months [illegible] the Cheeta [illegible] lived in [illegible] lived [illegible] lived [illegible] sir. [illegible] Pauls Valley. Q Was he always in the Chickasaw Nation all his life? A Yes, sir. Q How about Robert W.; where was he born? A Born in Pauls Valley. Q And he has lived in the Chickasaw Nation all his life? A Yes, sir. Q How about Alzora Clorena and Whitfield? A Born at Pauls Valley. Q All lived in the Chickasaw Nation all their life? A Yes, sir. Q All these children are alive are they? A Yes, sir, all born and raised at Pauls Valley. Q You don't know anything about who John Littlejohn, your husband, belonged to during the war do you? A No more [illegible] sir. Q Where was he living at the time of his death? A Chickasaw Nation. Q That is from the time you married him until the time he was dead he always lived in the Chickasaw Nation? A Yes, sir, Choctaw and Chickasaw. Q He always lived in the Indian Territory until he died from the time you married him? A Yes, sir, in Indian Territory. Q When did you marry him? A I married him when I was fourteen years old and I am now thirty-one.

Witness excused.

Chas. T. Difendafer being first duly sworn states that the above and foregoing is a full, true and correct [illegible] in the Indian Nation as said Nation.

Chas. T. Difendafer

Subscribed and sworn to before me this 3rd day of February 1905.

[illegible]

Notary Public.

IN RE application of John Little john and others for enrollment as Choctaw Freedmen

Sworn by Commissioner McKennon,

John Littlejohn says:

I am 40. I belonged to Robert Jones a Choctaw. My first wife is dead. She was a U. S. citizen. By her I have one child; Erasmus, 16.

My presrnt wife is a U. S. citizen. By her I have children; Esau, 10, Boyce, 8; Mose W. 6; Alzora, 3, Clarina, 1.

Pauls' Valley September 16th 1898.

Reuben Eastman says:

I know John Littlejohn. I first heard to day that he belonged to Robert Jones. He never talked to me about it. I have known him only a year. He lived at Arumore.

Paul's valley, September 16th 1898.

Monroe Smith says:

I know John Littlejohn. I have known him about 8 or 9 months. I do not know where he came from. He never acted like he was a citizen. I have never heard of him having any right until todya. I have been living here a long time.

Paul's Valley, September 16th 1898.

Mat Russell says:

I have know John Littlejohn about a year. I have been thinking all the time that he was a U. S. citizen. I am one myself and that is what I thought he was. This is all I know about him.

Paul's Valley, September 16th 1898.

John Gibbs says:

I know John Littlejohn. I have known him 3 years. He has been living in Paris, Texas. He came from that range of Country. He has some people there. I know his people there and they have inquired of me about him since he has been out here. I told

them that I knew him. They claimed that he lived at Paris, Texas. Yesterday he told me that he was going to prove a right in the Choctaw Nation.

Paul's Valley, September 16th 1898.

Henry Blythe says:

I know John Littlejohn. I have known him all his life. I have heard that during the war his father Phi lip Colbert, got Robert Jones to buy him, so that the father and son could be together. I knew him to live with Robert Jones. He had belonged to a man by the name of Capt. Littlejohn, and from that time he was on one side of the river and then on the other. He was staying over in the Choctaw Nation at that time. after emancipation he went back on the Texas side and remained with his mother until she died.

I am a Cherokee by blood. My post office is Center. I married in the Choctaw Nation and my wife now lives at Antlers.

His mother's people are in Texas and his father's people are on the Territory side of the river.

Pauls' Valley, September 16th 1898.

Isaac Frazier says:

I have known John Littlejohn 6 or 7 years. About 4 years agoI was at Paris, and some people asked me about John Littlejohn. He never told me when he came from. The first year he came I knew him to live with Tom Alexander. He made a cr p at Alexander's the next year he came, and the next year he moved about the Love settlement. I do not know whether or not he made a crop the following year.

Paul's Valley, September 16th 1898.

Endorsed

John Littlejohn and others.
IT RE application for enrollment as Choctaw Freedmen.

STATEMENT of Andrew Littlejohn, under oath, in re application of John Littlejohn for citizenship.

Examined by A. Telle.

Q. What is your name? A. Andrew Littlejohn.

Q. State if you know one John Littlejohn? A. Yes sir.

Q. Do you know where he lives at this time? A. No sir.

Q. Where was the last place you heard of him? A. Over here by Paris. I have four sisters living right there.

Q. Is he entitled to Choctaw Citizenship either by blood or adoption? A. Not accordin to these laws?.

Q. Do you know his mother? A. Yes sir.

Q. hat was her name? A. Zora.

Q. Has he any brothers or sisters? A. Yes sir, he had a brother but he is dead.

Q. To whom did Zora Littlejohn belong? A. Billy Littlejohn. He is dead and buried right at Checotah.

Q. This Billy owner of this Littlejohn was raised in the state of Texas wasn't he? A. Yes sir, they own property right there now.

Q. He was a white man wasn't he? A. Yes sir.

Q. State if you know whether the owners of this Littlejohn were Choctaws or Chickasaws? A. No sir, not as I know of.

Q. You say there were two Littlejohn's? A. Yes sir, one of them got his hand cut off in a molasses mill. This here Littlejohn I am talkin about moved from down towards Paris, Texas, about twelve miles south of Paris, Texas.

Q. He was born since the war was he? A. Yes sir. He is about twenty five years of age.

Q. Who was his father? I don't know who his father was, I am satisfied he has no right here.

Andrew Littlejohn 8

Q. Did any of the colored men who belonged to Littlejohn have a slave who belonged to Robert Jones? A. No sir, they never did.

COMMISSIONERS TO THE FIVE CIVILIZED TRIBES.

-----:o:-----

In the matter of the application of John Littlejohn for enrollment as a citizen of the Choctaw Nation.

-----:o:-----

S. Heard, Esq., Attorney for the applicant.

-----:o:-----

Ardmore, Indian Territory, November 21st, A. D., 1898.

-----:o:-----

S. Heard, being duly sworn by Commissioner T. B. Needles, testified on behalf of the applicant as follows:

Direct Examination by Commissioner Tams Bixby:

Q Where do you live? A. I live at Pauls Valley. He told me that the Commission - - there was one or two witnesses testified that he had never made any application for citizenship two years ago, and he came to me and I told him he didn't need any lawyer, all that he had to do was to come to the Commission and make his application, and I refused to make his application for citizenship. He used to come over to Paris from across the river, and his reputation there was that he belonged to the old Jones Freedmen. I knew him to be a reliable darkey. His testimony, so far as I know, has never been impeached; it is all right so far as I know, and I did not make that application for him. I told him he didn't need no lawyer, neither then or now.

Q He is not old enough to be a slave? A. Yes sir, he is forty odd years old. I told him I would make this statement to the Commission for him. That was the [illegible] understanding, that he be-

longed to the old Jones family of negroes. I have known him a long time, and I told him it was not necessary to make any arrangement with the attorneys, if they needed my testimony I could testify why he didn't need any attorney.

Q (By Com'r. McKennon) About how long have you known him?

A I have known him I reckon twelve years. He lived across over there.

John Littlejohn, being duly sworn by Commissioner T. B. Needles, testified on behalf of himself as follows:

Direct Examination by Choctaw Com'r. Simon Lewis:

Q I would like to ask how you got the name of Littlejohn?

A I got the name of Littlejohn of my mother's people. My father was on the Choctaw side and had Mr. Jones buy me out of Mr. Jones. Phillip Powell is my father and he got him to buy me and I followed my mother's name, these same Littlejohns you knew over there.

Q You belonged to Jones then when you got free? A. Yes sir.

This day personally appeared before the undersigned authority Noah McGill a full blood Chickasaw Indian age 62 Post office Tishomingo, I. T. who after being by me first duly sworn say that that a little while after the close of the War he was aquainted with one Robert Jones a Choctaw Indian who had a large plantation in the Choctaw Nation on Red River about 35 North of Paris Tex. Affiant say that Robert Jones was the owner of a great Many slaves but it has ben so long ago affiant cannot recollect many of their names but affiant remembers that one Phillip Colbert a choctaw Indian lived on the farm was said to be the father of a boy affiant saw there who was called LittleJohn after his mother who use to livein Texas, so it was said Affiant further says that he did not know what became of this boy he never saw him any more but he wo uld be now about 45 or 7 years old if living Affiant says that he has no interest in this matter before the Commission and that the facts sworn to herein he believes to be true

his
Noah x McGill
mark

Sworn to and subscribed before me this 5th day of Aug 1904.

Tishomingo, I. T.

Aug 5th 1904.

This day came Noah McGill who after having this affidavit made over to him and after being duly sworn by me says that the facts herein set forth are true & correct to the best of his knowledge. & lief

Irvin E Edwin
Notary Public

(SEAL) My Commission expires Dec 31 1905

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
F I L E D AUG 17 1904
Tams Bixby, Chairman.

Tishomingo, I. T. Aug 10 1904.

Before the undersigned authority this day personally appeared
a Chickasaw Indian
before the undersigned authority Roberson Kemp of Post office
Emit Ind. Ter.

Affiant says that he was well acquainted with Robert J. Jones a Choctaw Indian who lived in Red River Co Choctaw Nation about 35 miles North of Paris Texas affiant says said Jones was wealthy and a had great many slaves and among them he remembers a family by the name of LittleJohn affiant remembers a small boy by the name of John Littlejohn said to have been the son of one Phillip Colbert an Indian by one of the slave women of Robert Jones affiant has not seen him of late years but if living he would be about 47 years old affiant has no interest in the matter under investigation and he further testifies that the facts testified to herein are true to the best of his knowledge & belief

Roberson Kemp

Sworn to and subscribed before me this 10 day of Aug 1904.

Richard W. Lester

Notary Public.

SO. Dist Ind. Ter.

(SEAL)

Endorsed

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

F I L E D Aug 17 1904

Tams Bixby, Chairman.

enc d

190

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

.....Whitfield Littlejohn....

as a citizen of

.....Choctaw..... Nation.

Approved..... 190...

.....

Commissioner.

BIRTH AFFIDAVIT 199

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

~~ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.~~

IN RE APPLICATION FOR ENROLLMENT, as a ~~citizen~~ Freedman of the Choctaw Nation,

of Whitfield Littlejohn, born on the 24 day of October 900
[Here insert name of child]

Name of Father: John Littlejohn a ~~citizen~~ Freedman of the Choctaw Nation.

Name of Mother: Willie Littlejohn a ~~citizen~~ Freedman of the Choctaw Nation.

Tribal enrollment of father ..... Tribal enrollment of mother .....

Postoffice Pauls Valley I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.

I, Willie Littlejohn Freedman on oath state that I am 28 years of age and a ~~citizen~~ by Intermarriage of the Choctaw Nation; that I am the lawful wife of John Littlejohn Freedman, who is a citizen, by blood of the Choctaw Nation; that a Male child was
[Male or Female]
born to me on 24 day of October 1900; that said child has been named Whitfield Littlejohn and ~~was living March 4, 1905~~ is now living.

Willie Littie Jjon

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 31st day of October 1900

(SEAL)

R. A. Howard
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.

I, Joanna Hanson, a Midwife, on oath state that I attended on Willie Littlejohn, wife of John Littlejohn on the 24 day of October 1900; that there was born to her on said date a Male
[Male or Female]
child; that said child was ~~living March 4, 1905~~ is now living, and is said to have been named Whitfield Little John

J A Hanson

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 31st day of October 1900

(SEAL)

R. A. Howard
Notary Public.

MARRIAGE LICENSE

State of Texas,

County of Lamar.

To any person legally Authorized to Solemnize MARRIAGES ---- GREETING:

You are hereby authorized to JOIN IN MARRIAGE, as Husband and Wife, John Littlejohn and Sarah Jones and for so doing this shall be your sufficient authority.

Given under my hand and official seal, at Paris, Texas, this the 25th day of September 1879.

D. Ridley

Clerk County Court Lamar, County, Texas.

By W. B. Kavanaugh Deputy.

THIS CERTIFIES, that on the 2nd day of Oct. 1879, I JOINED IN MARRIAGE, AS HUSBAND AND WIFE, JOHN LITTLEJOHN and SARAH JONES pursuant to the above License. This the 3rd day of Oct. 1879.

(Signed) John Jones, M. G.

The State of Texas,

Lamar County.

I, EEE THOMPSON, Clerk of the County Court in and for Lamar County, Texas, do hereby certify that the above and foregoing is a ture and correct copy of the original Marriage License issued by the Clerk of the County Court of said Lamar County to John Littlejohn and Sarah Jones together with the certificate of the officer performing the marriage ceremony as the same appears on file on my office.

To Certify Which, Witness my official seal and signature at office in the CITY of PARIS, TEXAS, this the 18 day of November A. D. 1903.

Eee Thompson

Clerk County Court Lamar County, Texas.

(SEAL) By Lewis Moore, Deputy.

Recorded in Book 8 Page 7, Lamar County Marriage Records.

Endorsed
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED SEP 21 1905 Tams Bixby, Chairman

T E X A S .

COUNTY OF LAMAR.

To any Regular Ordained or Ordained Minister of the Gospel, Jewish Rabbi, Judge of the District or County Court or any Justice of the Peace in and for Lamar County GREETING:

YOU ARE HEREBY AUTHORIZED TO SOLEMNIZE THE

RITES OF MATRIMONY

between Mr John Littlejohn and Miss Willie Bly and make due return to the Clerk of the County Court of said County within Sixty days thereafter, certifying your action under this License.

Witness my official signature and seal of office at office in Paris, the 10 day of September 1887.

Sam H. Hancock,
(SEAL) Clerk of County Court, Lamar County.

I Prince Harmon hereby Certify that on the 14 day of Sept 1887 I united in Marriage John Littlejohn and Willie Bly the parties above named.

Witness my hand this 14 day of Sept 1887
Prince Harmon
D. D.

Filed Octr 7-1887 Recorded in Book 10 Page 523 of Marriage Record
Sam H. Hancock, Clerk Lamar County.

The STATE OF TEXAS,
LAMAR COUNTY I, Dee Thompson, Clerk of the County Court in and for Lamar County, Texas, do hereby certify that the above and foregoing is a true and correct copy of the original Marriage License issued by the Clerk of the County Court of said Lamar County to Mr John Littlejohn and Miss Willie Bly together with the certificate of the officer performing the marriage ceremony as the same appears on file on my office.

Given under my hand and seal of office, Witness my official seal and signature at office in the City of Paris, Texas, this the Eighteenth day of November A. D. 1903.

(SEAL) Edwin Moore Dee Thompson
Deputy. Clerk of the County Court of Lamar County Texas.

Endorsed
DEPARTMENT OF THE INTERIOR; COMMISSION TO THE FIVE CIVILIZED TRIBES Filed Dec 1 1903, Tams Bixby, Chairman.

Choc. Freed. D 139

Muskogee, Indian Territory, November 10, 1902.

John Littlejohn,

Pauls Valley, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 27, 1902, in which you ask to be allowed to present witnesses at Ardmore or Ada, Indian Territory, in support of your application for the enrollment of yourself and family as Choctaw freedmen.

In reply to your letter you are advised that it appears from the records of this office that John Littlejohn and his seven children are applicants to this Commission for the enrollment as Choctaw freedmen.

If you desire to present further testimony in support of such application, you and such witnesses as you may produce will be heard upon personal appearance before the Commission at one of the appointments specified in the circular enclosed you herewith.

Respectfully,

Acting Chairman.

Enc. circular

17D 139

Muskogee, Indian Territory, September 30, 1903.

John Littlejohn,

McGee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 8th instant, addressed to the Secretary of the Interior and by him referred to this Commission for consideration and appropriate action. You request to be advised what steps it is necessary for you to take in the matter of the application for the enrollment of yourself and minor children as Choctaw freedmen.

You are informed it appears from our records that John Littlejohn and his minor children, Erasmus, Esau, Boyce, Moses W., Alzora, Clorena and Whitfield Littlejohn, are applicants to this Commission for enrollment as Choctaw Freedmen, but their rights to final enrollment as such have not yet been determined by the Commission.

Under date of November 10, 1902, a letter was received at this office from you, dated October 27, 1902, in which you request to be allowed to present witnesses at Ardmore or Ada, Indian Territory, in support of the application for the enrollment of yourself and family as Choctaw Freedmen, and in reply to your letter you were

advised that if you desired to introduce further testimony in support of such application you and such witnesses as you might produce would be heard upon their personal appearance before the Commission at one of its appointments as shown upon a circular letter enclosed herewith.

There is no record of any appearance at either of the appointments of the Commission, specified in our circular letter, of yourself or witnesses in your behalf.

You are now advised that if you desire to present further testimony in support of the application for the enrollment of yourself and children as Chickasaw freedmen, you and such witnesses as you may produce will be heard upon your personal appearance before the Commission at its office at Muskogee, Indian Territory. This matter should receive prompt attention.

Respectfully,

Chairman.

17-D-139.

Muskogee, Indian Territory, August 18, 1904.

Willie Littlejohn,

Maxwell, Indian Territory.

Dear Madam:

In the matter of the application for the enrollment of your husband, John Littlejohn, and your children, Erasmus, Easy, Joyce, Moses W., Alzora, Clarina and Whitfield Littlejohn, as freedmen of the Choctaw Nation, it will be advisable for you to appear before the Commission, together with such witnesses as you may be able to procure, for the purpose of giving testimony relative to the rights of your said husband and children as freedmen of the Choctaw Nation.

Such appearance should be made at the general office of the Commission, Muskogee, Indian Territory, as soon as possible; or you may appear at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904; or at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

Respectfully,

Commissioner in Charge.

17-D-139

Muskogee, Indian Territory, February 7, 1905.

Albert Rennie,

Paula Valley, Indian Territory.

Dear Sir:-

It appears from our records that on July 25, 1904, you notified the Commission that you had been employed by Willie Littlejohn, widow of John Littlejohn, to look after the enrollment of her husband and children as Choctaw freedmen. On this day the Commission has sent to Mrs. Littlejohn a registered letter and notice to furnish further evidence in the matter of the application for the enrollment of her husband and children, a copy of said notice is herewith enclosed.

As the Commission is desirous to finish up its work as soon as possible, you will see the necessity of attending to this matter immediately, and you are requested to give an early reply as to whether you intend to introduce any further testimony in this case.

Respectfully,

Chairman

Encl.
MVV.

27-D-139

Muskogee, Indian Territory, February 7, 1908.

Mrs. Willie Littlejohn,

Paula Valley, Indian Territory.

Dear Madam:

On August 18, 1904, you were notified that it was necessary for you to appear before the Commission, together with such witnesses as you may be able to procure, for the purpose of giving testimony relative to the rights of your husband, John Littlejohn, and your Children, Erasmus, Essy, Boyce, Moses W., Alzora, Clarina and Whitfield Littlejohn. This request, up to the present time, has not been complied with.

You are again notified that such appearance must be made at once.

If such appearance is not made within thirty days from the date hereof, it will be presumed by this Commission, you do not desire to offer any further testimony in the matter of the application for the enrollment of your husband and children, and a decision will be rendered upon the papers in evidence now on file in your case.

You are advised that the burden of proof is upon the applicants to show that they are entitled to enrollment.

Respectfully,

Commissioner.

17-D-139

Muskogee, Indian Territory, February 7, 1905.

Mrs. Willie Littlejohn,

Pauls Valley, Indian Territory.

Dear Madam:

On August 18, 1904, you were notified that it was necessary for you to appear before the Commission, together with such witnesses as you may be able to procure, for the purpose of giving testimony relative to the rights of your husband, John Littlejohn, and your children, Erasmus, Esay, Boyse, Moses W., Alzora, Clarina and Whitfield Littlejohn. This request, up to the present time, has not been complied with.

You are again notified that such appearance must be made at once.

If such appearance is not made within thirty days from the date hereof, it will be presumed by this Commission, you do not desire to offer any further testimony in the matter of the application for the enrollment of your husband and children, and a decision will be rendered upon the papers and evidence now on file in your case.

You are advised that the burden of proof is upon the applicants to show that they are entitled to enrollment.

Respectfully,

Registered

Chairman.

17-B-139

Muskogee, Indian Territory, November 28, 1905.

Mrs. Willie Littlejohn,

Paula Valley, Indian Territory.

Dear Madam:

In the matter of the application for the enrollment of your husband and your children as Choctaw Freedmen you are advised that the evidence on file in this office is insufficient to determine the rights of your said husband, John Littlejohn, and children as Choctaw Freedmen.

You are hereby notified that you will be allowed thirty days from date hereof to furnish such oral testimony as you may be able to produce, showing who was the actual owner of your husband at the close of the war and his residence from that time up to and including September 25, 1902.

It is claimed that your husband was not the slave of a Choctaw Indian at the close of the war, and that he did not reside in the Choctaw Nation for several years afterward.

This matter should receive your prompt attention.

Respectfully,

Acting Commissioner.

17-D-139
D. C.L.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of John Littlejohn, et al., as Choctaw freedmen.

D E C I S I O N .

It appears from the record herein that on September 16, 1898, at Pauls Valley, Indian Territory, John Littlejohn made application to the Commission to the Five Civilized Tribes for the enrollment of himself and his minor children, Erasmus, Esau, Boyce, Moses W., Alzora and Clarina Littlejohn as Choctaw freedmen. On November 23, 1900, written application was made to the Commission to the Five Civilized Tribes for the enrollment of Whitfield Littlejohn, minor child of said John Littlejohn, as a Choctaw freedman.

It does not appear from the record herein or from the records in the possession of this office that any of the applicants herein have ever been recognized or enrolled by the Choctaw or Chickasaw tribal authorities as citizens by blood, or have [illegible] entitled to [illegible] by any duly constituted authority.

Although ample opportunity has been afforded said applicants to show by satisfactory evidence that they are entitled to enrollment as Choctaw freedmen they have failed to do so.

I am, therefore, of the opinion that following the ruling of the Department in the cases of Eliza J. Bryant, et al., (I.T.D. 544-1904), William Rector (I.T.D. 1468-1904), Minnie Duncan, et al. (I.T.D. 1470-1904), Samantha Chambers (I.T.D. 2296-1904), Ed Williams (I.T.D. 4230-1904), Moses Ross (I.T.D. 6056-1904), Florence Bratcher (I.T.D. 12698-1904) and Frankie Grimmett (I.T.D. 17902-1905), the application for the enrollment of John Littlejohn, Erasmus Littlejohn, Esau Littlejohn, Boyce Littlejohn, Moses W. Littlejohn, Alzora Littlejohn, Clarina Littlejohn and Whitfield Littlejohn, as Choctaw freedmen, should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

FEB 22 1907

17-D-39

COPY

Muskogee, Indian Territory, February 23, 1907.

John Littlejohn,

Paula Valley, Indian Territory.

Dear Sir:-

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 23, 1907, denying the application for your enrollment and for the enrollment of Erasmus Littlejohn, Beau Littlejohn, Boyce Littlejohn, Rose W. Littlejohn, Alzora Littlejohn, Clarina Littlejohn and Whitfield Littlejohn as Choctaw freedmen.

The decision, withthe record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
P. Ind. 17-D-39

17-B-36

COPY

Muskogee, Indian Territory, February 23, 1907.

S. Heard,

Pauls Valley, Indian Territory.

Dear Sir:-

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 23, 1907, denying the application for the enrollment of John Littlejohn, Erasmus Littlejohn, Beau Littlejohn, Boyce Littlejohn, Moss W. Littlejohn, Alzora Littlejohn, Clarina Littlejohn and Whitfield Littlejohn, as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Enclosure
Incl. [illegible]

17-D-39

COPY

Muskogee, Indian Territory, February 23, 1907.

Albert Bennie,
Attorney-at-law,
Paula Valley, Indian Territory.

Dear Sir:-

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 23, 1907, denying the application for the enrollment of John Littlejohn, Erasmus Littlejohn, Sam Littlejohn, Boyce Littlejohn, Moss W. Littlejohn, Alzora Littlejohn, Clarina Littlejohn and Whitfield Littlejohn as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
Enl. Vouchers

17-D-38

COPY

Muskogee, Indian Territory, February 23, 1907.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:-

Inclosed herewithyou will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 23, 1907, denying the application for the enrollment of John Littlejohn, Erasmus Littlejohn, Esau Littlejohn, Boyce Littlejohn, Moses W. Littlejohn, Alzora Littlejohn, Clarina Littlejohn and Whitfield Littlejohn as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Incl. 17-D-38

COPY

Muskogee, Indian Territory, February 23, 1907.

The Honorable,

The Secretary of the Interior;

Sir:-

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of John Littlejohn, Drumma Littlejohn, Rena Littlejohn, Royce Littlejohn, Moss W. Littlejohn, Alsora Littlejohn, Clarina Littlejohn and Whitfield Littlejohn as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated February 23, 1907., denying said application.

Respectfully,

SIGNED Tams Bixby

Encl.

Through the
Commissioner of Indian Affairs.

[illegible]

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

I.T.D. [illegible]

March 2, 1907.

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are enclosed.

Title of Case.	Date of Your Letter of Transmittal.
[illegible] Jr., (Freedman),	February 1[illegible], 1907.
[illegible] Willie Lee [illegible] (Freedmen),	[illegible]
[illegible]	[illegible]
[illegible] (Freedmen),	[illegible]
[illegible] (Freedmen).	[illegible]
[illegible] et al.,	[illegible]

Title of Case.	Date of Your Letter of Transmittal.
Frances and Viola Brannon (Freedmen),	February 16, [illegible]
[illegible],	February 16, [illegible]
[illegible],	February 16, [illegible]
[illegible],	February 16, [illegible]
[illegible] Hayes,	February 16, [illegible]
Annie Hawkins (Freedman),	February 16, [illegible]
Francis York,	February 16, [illegible]
J. W. Barnett et al,	February 16, [illegible]
Sam E. and Joe A. Potts,	February 16, [illegible]
Ben Wright,	December 20, [illegible]
Thomas E. Starks, (intermarried),	February 19, 1907.

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

25 inc. and 56 inc.
for Indian Office.

W.C.F.
3-1-07.

Land
2024-1907.

COPY.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed report of Commissioner Bixby dated February 23, 1907, transmitting the record in the matter of the application for the enrollment of John Littlejohn, Erasmus Littlejohn, Esau Littlejohn, Boyce Littlejohn, Moses W. Littlejohn, Alzora Littlejohn, Clarina Littlejohn and Whitfield Littlejohn as Choctaw freedmen, including the Commissioner's decision of February 23, 1907, rejecting the application.

The record has been examined, and the Office concurs in the findings of the Commissioner [illegible] approval.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

CAW-W.

17-B-39

Muskogee, Indian Territory, April 8, 1907.

John Littlejohn,

Paula Valley, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 23, 1907, denying the application for your enrollment and for the enrollment of Erasmus Littlejohn, Essa Littlejohn, Boyce Littlejohn, Mose T. Littlejohn, Alsora Littlejohn, Clarina Littlejohn and Whitfield Littlejohn as Choctaw freedmen.

Respectfully,

Geo. D. Reed

Acting Chairman.

17-D-39

Muskogee, Indian Territory, April 1, 1907.

S. Heard,

Paula Valley, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 23, 1907, denying the application for the enrollment of John Littlejohn, Erasmus Littlejohn, Esau Littlejohn, Royce Littlejohn, Mose W. Littlejohn, Alsora Littlejohn, Clarina Littlejohn and Whitfield Littlejohn as Choctaw freedmen.

Respectfully,

Geo. [illegible] Rogers.

17-D-39

Muskogee, Indian Territory, April 2, 1907.

Albert Rennie,

Attorney at law,

Pauls Valley, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 23, 1907, denying the application for the enrollment of John Littlejohn, Erasmus Littlejohn, Esau Littlejohn, Boyce Littlejohn, Rose W. Littlejohn, Alzora Littlejohn, Clarina Littlejohn and Whitfield Littlejohn as Choctaw freedmen.

Respectfully,

Acting Commissioner.

19-D-19

Muskogee, Indian Territory, April 2, 1907.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 23, 1907, denying the application for the enrollment of John Littlejohn, Erasmus Littlejohn Esau Littlejohn, Royce Littlejohn, Moses W. Littlejohn, Alsora Littlejohn, Clarina Littlejohn and Whitfield Littlejohn as Choctaw Freedmen.

Respectfully,

Geo. D. Rodgers

Acting Commissioner.

COPY.

REFER IN REPLY TO THE FOLLOWING:

Land
20387-1907.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed report of Commissioner Bixby dated February 23, 1907, transmitting the record in the matter of the application for the enrollment of John Littlejohn, Erasmus Littlejohn, Esau Littlejohn, Boyce Littlejohn, Mose W. Littlejohn, Alzora Littlejohn, Clarina Littlejohn and Whitfield Littlejohn as Choctaw freedmen, including the Commissioner's decision of February 23, 1907, rejecting the application.

The record has been examined, and the Office concurs in the findings of the Commissioner and recommends their approval.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

GAW-W

12634

partment of the Interior
RECEIVED
MAR 2 1907
No. 1 of No. 6836
dian Territory Divisio

Chic. F. D. 139

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

RETURNED TO WRITER

Unclaimed

Unclaimed.

~~John Littlejohn,~~

~~Pauls Valley, Indian Territory.~~

PAULS VALLEY, I.T. MAR 14 1907 REGISTERED

PAULS VALLEY, I.T. MAR 16 9 30 AM 1907

OFFICIAL BUSINESS PENALTY FOR PRIVATE USE $300

Party addressed is dead. Reg # 2 5/7 2/19

Letter 1907 139

17D139

PAULS VALLEY, IND. T.
FEB 27 1901
REGISTERED

REFER IN REPLY TO THE FOLLOWING:

17-D-39

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 23, 1907.

John Littlejohn,

Pauls Valley, Indian Territory.

Dear Sir:-

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 23, 1907, denying the application for your enrollment and for the enrollment of Erasmus Littlejohn, Esau Littlejohn, Boyce Littlejohn, Mose W. Littlejohn, Alsora Littlejohn, Clarina Littlejohn and Whitfield Littlejohn as Choctaw freedmen.

The decision, withthe record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.
Incl. 17-D-39

John Littlejohn, et al

REFUSED. FEB 23 1907

RECORD FORWARDED DEPARTMENT. FEB 28 1907

ACTION APPROVED BY SECRETARY OF INTERIOR. MAR 2 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. APR 2 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEY FOR APPLICANT APR 2 1907

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT. APR 2 1907

choc FR D-140 Robert McCoy

FR D-140

COMMISSION TO THE FIVE CIVILIZED TRIBES.

South McAlester, I.T., Sept. 11, 1899.

IN the matter of the enrollment of Robert McCoy, said McCoy being sworn by Commissioner Needles and examined by him et als., testified:

I am 26. My mother belonged to Archie McCoy. I was born and raised in the Choctaw Nation, I have not been here all of the time, but have been here and ~~[illegible]~~ big part of my life. My mother was Betsy McCoy. I have lived out of the nation about two years. I was about 24 or 25 when I went out of the nation. I had lived here in the Nation all my life up to that time and I am ~~[illegible]~~ back now and live in the nation. I live in Coal county and am mining. My mother lived at Lake West. She has been dead about 12 years.

(Excused to find witnesses as to Arch McCoy's ownership of his mother.)

Department of the Interior,
Commission to the Five Civilized Tribes

I hereby certify that the foregoing is the official transcript of stenographer to above named Commission that this transcript is a true, full and correct translation of my stenographic notes.

B. McDonald

17-D-140.

Muskogee, Indian Territory, November 28, 1905.

Robert McCoy, (Colored),
Care of R. B. Coleman,
McAlester, Indian Territory.

Dear Sir:

You have several times been advised by letter that it would be necessary for you to appear in person at this office, together with such witnesses as you might be able to procure, for the purpose of testifying relative to your right to be enrolled as a Choctaw freedman.

You are again advised that before disposition can be made of your application it will be necessary for you to appear at this office at Muskogee, Indian Territory, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your right to such enrollment.

Such appearance should be made at the earliest date possible, in order that disposition may be made of said application.

Respectfully,

17-D-140.

Muskogee, Indian Territory, August 19, 1904.

Robert McCoy,

South McAlester, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a freedman of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your right to enrollment as such freedman.

You are, therefore, requested to appear before the Commission at its general office, Muskogee, Indian Territory as soon as possible; or you may appear at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904: or at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9 1904.

Respectfully,

Chairman.

17-D-140.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Robert McCoy as a Choctaw freedman.

D E C I S I O N.

It appears from the record herein that on September 11, 1899, at South Muskogee, Indian Territory, Robert McCoy appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of himself as a Choctaw freedman.

Although ample opportunity has been afforded the applicant to show by satisfactory evidence that he is entitled to enrollment as a Choctaw freedman, he has failed to do so.

I am of the opinion that following the ruling of the Department in the cases of Lilly Bennett et al. (1.T.D. 544-1904), William Hester (I.T.D. [illegible]), Hannah Dunham et al. (I.T.D. 1470-1904), Samantha Chambers (I.T.D. 2896-1904), Ed Williams (I.T.D. 4030-1904), Henry Dean (I.T.D. 4056-1904), Florence Brashear (I.T.D. [illegible]) and Frankie Grimmett (I.T.D. 17[illegible]-1905), the application for the enrollment of Robert McCoy as a Choctaw freedman should be denied, and it is so ordered.

Commissioner.

Muskogee, Indian Territory,
FEB 18 1907

17-B-140

COPY

Muskogee, Indian Territory, February 18, 1907.

Robert McCoy,

South McAlester, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 18, 1907, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Inel. 17-B-140

17-B-180

[illegible], February 20, 1907.

[illegible]

[illegible] Railroad, [illegible]

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner of the Land Office [illegible] rendered February 18, 1907, denying the application for the enrollment of Robert McCoy as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Department of the Interior for review. The final decision of the Department will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Enclosure.

Inst. 17-B-180

17-D-140

COPY

Muskogee, Indian Territory, February 18, 1907.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 18, 1907, denying the application for the enrollment of Robert McCoy as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Incl. 17-D-140

COPY

Muskogee, Indian Territory, February 18, 1907.

The Honorable,

The Secretary of the Interior:

Sir:

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Robert McCoy as a Cherokee freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated February 18, 1907, denying said application.

Respectfully,

SIGNED Tams Bixby

Commissioner.

2 Incl.

Through the
Commissioner of Indian Affairs.

17-B-142

Muskogee, Indian Territory, April 13, 1907.

Robert Kelly,

South Canadian, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 18, 1907, denying the application for your enrollment as a Cherokee freedman.

Respectfully,

Geo. D. Rodgers,

Acting Commissioner.

17-D-140

Muskogee, Indian Territory, April 13, 1907.

R. B. Coleman,

South McAlester, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 12, 1907, denying the application for the enrollment of Robert McCoy as a Choctaw freedman.

Respectfully,

Geo. D. Rodgers.

Acting Commissioner.

17-D-140

Muskogee, Indian Territory, April 13, 1907.

Mehaffey, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Dear Sirs:

You are hereby advised that on March 6, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 1[illegible], 1907, denying the application for the enrollment of Robert McCoy as a Choctaw freedman.

Respectfully,

Geo. D. Rodgers.
Acting Commissioner.

W. O. B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-140.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 7, 1905.

Dalogh McCoy,

South McAlester, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a Choctaw Freedman, you were advised by letter dated August 19, 1904, that it would be necessary for you to appear in person before the Commission together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to be enrolled as a Choctaw Freedman.

You are again advised that before disposition can be made of your application it will be necessary for you to appear before the Commission at its office in Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of testifying relative to your right to such enrollment.

Such appearance should be made at the earliest date possible, in order that disposition may be made of said application.

Respectfully,

Commissioner in Charge.

JP.
FHE.

D. C. 12863-1907.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, March 4, 1907.

[illegible]
[illegible] D.
[illegible] 6144, 6152, 6153, [illegible] 70-97.
[illegible]
[illegible]
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[illegible]
7680-
7698-
7716, 7724, 7728, 7734-

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw enrollment cases adverse to the applicants are hereby affirmed, viz:

Title of Case.	Date of your letter of transmittal.
[illegible] (Freedmen)	February [illegible], 1907.
[illegible]	February [illegible], 1907.
Virginia [illegible] Dave Colbert (Freedmen)	February 12, 1907.
[illegible]	February 15, 1907.
[illegible] Pollock, et al.	December 24, 1906.
Gilbert and Sydney Frazier (Freedmen)	February 14, 1907.
[illegible] Hester (Freedmen)	February 14, 1907.
[illegible] (Freedmen)	February 16, 1907.
[illegible] (Freedmen)	February 7, 1907.
[illegible] and Bennie Roberts	February 6, 1907.
[illegible] Yeaka	February 7, 1907.
[illegible] (Freedmen)	February 11, 1907.
[illegible]	February 14, 1907.
[illegible]	February 11, 1907.
[illegible]	February 11, 1907.
[illegible]	February 11, 1907.
[illegible]	February 7, 1907.
[illegible]	February 20, 1907.

Title of Case.	Date of your letter of transmittal.
[illegible] (Intermarried)	February 6, 1907.
[illegible] (Eld. Chee.)	February 7, 1907.
[illegible] Yarell (Freedman)	February 7, 1907.
[illegible]	February 7, 1907.
[illegible] (Freedman)	February 11, 1907.
[illegible]	February 11, 1907.
[illegible]	February 11, 1907.
[illegible] (Freedman)	February 11, 1907.
[illegible]	February 11, 1907.
[illegible]	February [illegible], 1907.
[illegible]	February 14, 1907.
[illegible] Chee.)	February 15, 1907.
[illegible] (Freedman)	February 15, 1907.
[illegible] et al., (Freedman)	February 21, 1907.
[illegible] (Freedman)	February 21, 1907.
Allie May and Ann William (Freedman)	February 21, 1907.
[illegible] et al.	January 22, 1907.
[illegible] (Intermarried)	January 24, 1907.
[illegible] Lehne (Freedman)	February 5, 1907.
William C. Hart, et al.,	January 16, 1907.
William S. Walters, et al.,	February 22, 1907.
Charley Rogers (Freedman)	February 21, 1907.
Nicole Marie Sumner, et al.,	February 25, 1907.
Robert Riley (Freedman)	February 14, 1907.
Sterling Chukman (Freedman)	February 25, 1907.
Lottie Perry (Freedman)	February 25, 1907.
John Albert Pankey	February 26, 1907.
Henry T. and Thirzey Liberty	February 26, 1907.
[illegible]	February 26, 1907.
[illegible] (Freedman)	February 26, 1907.
[illegible] et al. (Freedman)	February 26, 1907.

and recommending that the decisions be approved [illegible].

A map hereof and all the papers in the above-mentioned cases have been sent to the Indian Office.

Respectfully,

W. A. Richards,

Encl. and
[illegible] for Ind. Sec. with
map hereof.
[illegible]

Secretary.

--Copy--

REFER IN REPLY TO THE FOLLOWING:

LAND
18541-1907

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

March 1, 1907.

The Honorable,
The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby, dated February 18, 1907, transmitting the record relative to the application of Robert McCoy for enrollment as a Choctaw freedman, including the decision of the Commissioner, dated February 18, 1907, adverse to the applicant.

The decision of the Commissioner has been examined and found to be correct, and the same is recommended for approval.

Very respectfully,
C. F. Larrabee,
Acting Commissioner.

HRD-EH

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

MUSKOGEE, I.T.
FEB 19 1907
REGISTERED

SOUTH MCALESTER, I.T.
MAR 19 1907

Robert McCoy,
South McAlester, ~~Indian Territory~~

Returned to Writer

128-140
reinstatement
8-22-07

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1001

1-68

REFER IN REPLY TO THE FOLLOWING:

17-D-140

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 18, 1907.

Robert McCoy,
South McAlester, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 18, 1907, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.
Incl. 17-D-140

EFUSED. FEB 18 1907

RECORD FORWARDED DEPARTMENT
FEB 18 1907

ACTION APPROVED BY SECRETARY OF INTERIOR. MAR 4 - 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. APR 13 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEY FOR APPLICANT. APR 13 1907

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT. APR 13 1907

Choc FR D-141 Susan McGilbry

Trans to 17-1574 Feb 27, 1907

FR D-141

[illegible]

[illegible] Sept 1906

[illegible] No. [illegible] FR 1557

Sept 15 1906

FR D-142

FR D-143

CHOCTAW FIELD

D-1[illegible]

Henry Nelson

REFUSED.

FEB 16 1907

COPY OF DECISION FORWARDED APPLICANT FEB 16 1907

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS.

FEB 16 1907

RECORD FORWARDED DEPARTMENT.

FEB 16 1907

ACTION APPROVED BY SECRETARY OF INTERIOR. MAR 2 - 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. MAR 28 1907

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT. MAR 2[illegible] 1907

In the matter of the application of Henry Nelson to the Commission to the Five Civilized Tribes, at Goodland, I. T., May 10th, 1899, for enrollment as a Choctaw Freedman. Being duly sworn by Commissioner Needles, and examined by him, et al, he testified as follows:-

Q. What is your name? A. Henry Nelson.

Q. Who did you belong to? A. A. Eden Nelson.

Q. What was he Choctaw or Chickasaw? A. Choctaw I think.

Q. Where have you been living since you were turned loose? A. Living about anywhere most.

Q. Are you married? A. Yes sir.

Q. Have you been living a good while in Texas? A. Yes sir.

Q. Where were you turned free? A. At Eden Nelson's

Q/ Did you go right off to Texas. A. No sir.

Q. How long did you stay here? A. I don't know how long.

Q. Can't you guess at it? A. It was along about 1867 when I left here.

Q. How long did you live in Texas? A. I have been there most of the time since then.

Q. Where did you marry? A. In Texas.

Q. When did you come back to the Territory? A. I have been just coming backwards and forwards.

Q. Have you got any children? A. No sir.

Q. Where have you been for the last two years? A. I have been at Arthur Texas

Capt. Peter Hambly being duly sworn testified as follows:-

Q. What is your name? A. Peter Hambly.

Q. Do you know this man or have you known him to Eden Nelson?

A. Yes sir. Been [illegible] around our place.

Henry Nelson recalled:

Q. How big was you at the time of the surrender? A. I was a little fellow.

(Applicant requested to secure further proof as to his right to enrollment)

Joe Stanley being duly sworn testified as follows:-

Q. What is your name? A. Joe Stanley?

Q. Do you know Henry Nelson? A. Yes sir, but I know who he claims to be his mother?

Q. Do you know who his mother is? A. They called her Nancy Nelson, but her name was Sukie?

Q. Do you know who he belonged to? A. Eden Nelson.

Q. Was he dead before the war? A. Yes sir, but his wife was living.

Q. Did this boy belong to Polly? A. I cannot tell whether to her or to Eden's sister.

Q. You don't know this boy at all? A. No sir, just his mother.

(Applicant requested to secure further proof)

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, [illegible] official oath as stenographer to above named Commission, that the [illegible] is a true, [illegible]

[illegible]

1?-D-141.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Henry Nelson as a Cherokee freedman.

-: D E C I S I O N :-

It appears from the record herein that on May 16, 1899, at Goodland, Indian Territory, Henry Nelson appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of himself as a Cherokee freedman.

It further appears from the record herein that the applicant was born in Kansas [illegible] during the [illegible] and was living in Indian Territory [illegible], 1896, [illegible] and was living in Indian Territory.

It is therefore, of the opinion that the applicant, Henry Nelson, is not entitled to enrollment as a Cherokee freedman and that the application for his enrollment in such capacity should be denied under the provisions of the act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

FEB 16 1907

19-D-143

COPY

Muskogee, Indian Territory, February 16, 1907.

Henry Nelson,

Arthur, Texas.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
Incl. 19-D-143

17-D-143

COPY

Muskogee, Indian Territory, February 16, 1907.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application for the enrollment of Henry Nelson as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known by [illegible] sent at this office. [illegible]

Respectfully,

SIGNED Tams Bixby

Commissioner.

Incl. 17-D-143

COPY

Muskogee, Indian Territory, February 16, 1907.

The Honorable,

The Secretary of the Interior:

Sir:

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Henry Nelson as a Choctaw freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated February 14, 1907, denying said application.

Respectfully,

SIGNED Tams Bixby

Commissioner.

2 Incl.

Through the
Commissioner of Indian Affairs.

D.S.[illegible]
I.T.D.[illegible],-1907. I.D.
[illegible],4112,4114,4140,- 2 S.W.
L.R.S.
[illegible].

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

March 2, 1907.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Your decisions in the following Chester citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are inclosed:

Title of Case.	Date of your letter of transmittal.
John E. White (Miss. Case.)	February [illegible], 1907.
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible] et al.	February 16, 1907.
Alice M. Smith,	February 16, 1907.
Alex Manning et al.(Freedmen)	February 16, 1907.
Thomas H. F. Smith, et al.	February 16, 1907.
Henry Nelson (Freedmen)	February 16, 1907.

A copy hereof and the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

12 Inc. and
22 Ab. Inc. Ct.
A.L.B.
3-2-07.

S.W.

[illegible]
[illegible]-1907. [illegible]

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
WASHINGTON,

February 28, 1907.

The Honorable,
The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Ricky dated February 16, 1907, transmitting the record relating to the application of Henry Nelson for enrollment as a Choctaw freedman, together with the Commissioner's decision of February 13, 1907, denying the application. The record shows that the evidence received by the Commissioner are correct, and the approval of his decision is recommended.

Respectfully,

Acting Commissioner.

[illegible]-[illegible]

17-D-148

Muskogee, Indian Territory, March 27, 1907.

Henry Nelson,

Arthur, Texas.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of this office of February 16, 1907, denying the application for your enrollment as a Cherokee Freedman.

Respectfully,

Commissioner.

IT-D-145

Muskogee, Indian Territory, March 23, 1907.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 9, 1907, the Secretary of the Interior affirmed the decision of this office of February 16, 1907, denying the application for the enrollment of Henry Kelly as a [illegible]h freedman.

Respectfully,

Commissioner.

Enclosure.

12645

Choc 7n
D-143

DEPARTMENT OF THE INTERIOR
RECEIVED
FEB 28 1907
Enc. No. 1 of No. 6160
INDIAN TERRITORY DIVISION

REFER IN REPLY TO THE FOLLOWING:

(COPY)

DEPARTMENT OF THE INTERIOR,

Land
17983-1907.

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

February 28, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby dated February 16, 1907, transmitting the record relative to the application of Henry Nelson for enrollment as a Choctaw freedman, together with the Commissioner's decision of February 16, 1907, denying the application. The record shows that the conclusions reached by the Commissioner are correct, and the approval of his decision is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

GAW-GH.

90

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. PADEN,
C. R. BREARIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
17-D-143.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, August 19, 1904.

Henry Nelson,

Goodland, Indian Territory.

Dear Sir:

[illegible] application for enrollment as a freedman of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as such freedman.

You are, therefore, requested to appear before the Commission at its general office, Muskogee, Indian Territory as soon as possible; or you may appear at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904; or at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

Respectfully,

Chairman.

W. O. B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREWER.
WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
17-D-143

Muskogee, Indian Territory, March 30, 1905.

Henry Nelson,

[redacted]

Sir:-

In the matter of your application for enrollment as a Choctaw freedman, it will be necessary for you to appear in person before this Commission at Muskogee, Indian Territory, with such witnesses as you are able to produce, and furnish evidence of your right to enrollment.

Unless you do appear within thirty days from the date hereof, the case will be disposed of upon the record as it now stands.

Respectfully,

Chairman.

REFER IN REPLY TO THE FOLLOWING:

17-D-143

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

DDD

Muskogee, Indian Territory, November 28, 1905.

Henry Nelson,
Care of Postmaster,
Arthur, Texas.

Dear Sir:

In the matter of your application for enrollment as a Choctaw Freedman, it will be necessary for you to appear in person before this office at Muskogee, Indian Territory, with such witnesses as you are able to produce, and furnish evidence of your right to enrollment.

Unless you do appear within thirty days from the date hereof, the case will be disposed of upon the record as it now stands.

Respectfully,

Geo D Rodgers
Acting Commissioner.

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

23807

Henry Nelson,
[redacted]as.

MUSKOGEE, IND. T.
FEB 19 1907
REG. DIV.

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

411

REFER IN REPLY TO THE FOLLOWING:

17-D-143

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 16, 1907.

Henry Nelson,

Arthur, Texas.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.
Incl. 17-D-143

Chk FR D-144 Neal Archives

Disposed Feb 19, 1907

FR D-144

D.C.L.L.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Neal Fitchlynn as a Choctaw freedman.

17-D-144.

FREEDMAN

In re application of Neal Pitchlynn to the Commission to the Five Civilized Tribes at Wister, I. T., June 6th, 1899, for enrollment as a Choctaw Freedman. Being duly sworn by Commissioner Needled, and examined by him, et al, he testified as follows:-

Q. What is your name? A. Neal Pitchlynn.

Q. How old are you? A. Forty.

Q. Were you born a slave? A. Yes sir.

Q. Who did you belong to? A. Elijah Pitchlynn.

Q. What was he a Choctaw? A. Choctaw.

Q. Where have you been living all your life? A. Right here in the Nation.

Q. How big were you when you were turned loose? A. I was small.

Did you ever live in Arkansas or Texas? A. No sir. I never did.

Q. Have you ever been enrolled by these people here? A. No sir.

Q. Why not? A. I just neglected it.

William Tucker being duly sworn testified as follows:-

Q. What is your name? A. William Tucker.

Q. Do you know Neal Pitchlynn? A. Yes sir.

Q. Do you know who he belonged to when he was a slave? A. No sir.

Q. You don't know whether he was a slave or not? A. No sir, I have only known him 12 or fourteen years.

Neal Pitchlynn? re-examined.

Q. Where is your mother? A. She is dead.

Q. Is your brother here now? A. Yes sir.

Q. When did he come here to this country? A. He came here with me, but he goes back and forth, he works in the mines.

(Requested to meet the commission at some other point, and present further testimony)

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

Muskogee, Indian Territory, May 4, 1901.

F. F. Faulure,

Gilmore, Indian Territory.

Dear Sir:

The Commission has had before it for some time your letter of March 18th, in which you state that Neale Zachary, a negro advises you that he appeared before the Commission in June, 1899 for enrollment as a Choctaw freedman. That he is also known by the name of William or Bill Peachland and that his father and mother were slaves owned by an Indian named Peter Peachland and that he had a step-father named Zachary.

You desire to be informed if he is properly enrolled and state that if he is not he will get up the required evidence.

Replying to your letter you are informed that a careful search of the records of the Commission does not show that any party by the name of Neale Zachary has made application for enrollment as a Choctaw freedman.

The records of the Commission do show however, that Neal Pitchlynn, 40 years of age, appeared before the Commission at Fisher, Indian Territory on June 5th, 1899 and made application for enrollment as a Choctaw freedman. In his testimony given at that time he stated that he was the slave of Elijah Pitchlynn, a Choctaw Indian and had lived in the Choctaw Nation all his life.

His evidence at the time of his appearance before the [illegible] was deemed sufficient for his enrollment and he was

[illegible] other point and present [illegible] never been [illegible]

[illegible] concerning whom you inquire, and [illegible] withheld [illegible]

[illegible] whom you inquire [illegible]

[illegible] and other additional testimony is [illegible] at any time [illegible] freedom of [illegible]

[illegible]

Acting Chairman.

98

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-144.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, August 19, 1904.

Neal Pitchlynn,
Wister, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a freedman of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as such freedman.

You are, therefore, requested to appear before the Commission at its general office, Muskogee, Indian Territory as soon as possible; or you may appear before the Commission at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904; or at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

Respectfully,

Chairman.

[illegible] PATROL,
Belonging to the Five Civilized Tribes,
MUSKOGEE, IND. TERR.

General Office
Short Time Allowed
178 1444

Neal Pitchlynn,

~~Sidney, Indian Territory.~~

USE ABO
FOR PRIVATE U

[illegible]

Muskogee, Indian Territory, November 26, 1903.

[illegible]

Wister, Indian Territory.

[illegible]

On March 18, 1901 you addressed a communication to the Commission to the Five Civilized Tribes relative to the enrollment of one Neale Zachary, sometimes known as William or Bill Peachland, a reply to which letter was sent to you on May 4, 1901, requesting further information concerning the party you inquired of.

If the person you inquired of is Neal Pitchlynn, who applied to said Commission at Wister, Indian Territory on June 4, 1902 for enrollment as a Choctaw freedman, you are requested to inform this office as to his present post-office address, as letters addressed to him at Wister have been returned by the postmaster at that place unclaimed.

An envelope which requires no postage is herewith inclosed for reply.

Respectfully,

[illegible]

Acting Commissioner.

17-D-144.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Neal Pitchlynn as a Choctaw freedman.

-: D E C I S I O N :-

It appears from the record herein that on June 6, 1899, at Wister, Indian Territory, application was made to the Commission to the Five Civilized Tribes for the enrollment of Neal Pitchlynn as a Choctaw freedman.

This office has for the past four years through its field parties operating in the Choctaw and Chickasaw Nations and its land offices and by interviews at this office of residents of the Choctaw and Chickasaw Nations of extensive acquaintance in said nations made every effort to ascertain the whereabouts of the applicant, but no information has been obtained.

It is considered that the applicant is either dead or residing without the limits of the Indian Territory.

I am, therefore, of the opinion that the application for the enrollment of Neal Pitchlynn as a Choctaw freedman should be dismissed, and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

FEB 19 1907.

Doc FR 18-14 [illegible]

[illegible]

[illegible] as well as the FR and [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment as a Choctaw freedman of . . . . . .

JOHN THOMAS.....17-D-146.

FREEDMAN

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SOUTH McALESTER, I. T., SEPT. 4", 1899.

JOHN THOMAS, being sworn, testified as follows.

Q. What is your name? A. John Thomas.

Q. What is your mothers name? A. I donnot know.

Q. Was she a Choctaw Citizen? A. My father says so.

Q. What is your fathers name? A. John Thomas.

Q. You do not know whether or not your mother was a slave?

A. No sir.

Q. Who does know? A. My father.

Q. Where is he? A. Brazile, I. T.

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

R R Crawens

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-146.

Muskogee, Indian Territory, August 19, 1904.

John Thomas,

South McAlester, Indian Territory,

Dear Sir:

In the matter of your application for enrollment as a freedman of the Choctaw Nation, you are advised that it will be necessary for you to appear before the Commission, together with such witnesses as you may be able to procure, for the purpose of establishing relative to your right as such freedman.

You are therefore, requested to appear before the Commission at its general office, at Muskogee, Indian Territory, on or as soon as possible, or you may appear at the Choctaw Land Office, at Atoka, Indian Territory, on September 6-7, 1904, or at the Chickasaw Land Office, at Tishomingo, Indian Territory, on September 8-9, 1904.

Respectfully,

Tams Bixby, Chairman.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

MUSKOGEE I.T. AUG 19 5 P

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

SOUTH McALESTER I.T. SEP 23 630 PM 1904

RETURNING OWNER

John Thomas,

~~South McAlester, Indian Territory.~~

17 & 26 -
General Office
Choctaw Freed.

17-Mayes

Muskogee, Indian Territory, November 28, 1908.

John Thomas, (Colored),
care of R.B. Coleman,
McAlester, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a Choctaw freedman you are again advised that it will be necessary for you to appear at this office at Muskogee, Indian Territory, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your claim as such freedman.

[illegible] at this office [illegible] as possible so that your application may be finally disposed of.

Respectfully,

Acting Commissioner.

17-D-146. O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of John Thomas as a Choctaw freedman.

DECISION.

It appears from the record herein that on September 4, 1899, John Thomas appeared before the Commission to the Five Civilized Tribesat South McAlester, Indian Territory, and made application for the enrollment of himself as a Choctaw freedman.

This office has for the past four years, through its field parties operating in the Choctaw and Chickasaw Nations and its land offices and by interviews at this office of prominent Choctaw and Chickasaw Indians of extensive acquaintance, made every effort to ascertain the whereabouts of said applicant, but no information has been obtained.

It is considered that the applicant is either dead or residing without the limits of the Indian Territory.

I am, therefore, of the opinion that the application for the enrollment of John Thomas as a Choctaw freedman should be dismissed, and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

JAN 30 1907

Choc FR D-147 Alex Whitby

Granted
and record Trans to Choc FR 1507
May 20, 1905

FR D-147

PR D-178

In the matter of the application of Richard Wilson, to the Commission to the Five Civilized Tribes, at Alikchi, I.T., April 25th, 1899, for enrollment as a Choctaw Freedman, being duly sworn by Commissioner Needles, and examined by him, et al, he testified as follows:

Q. What is your name? A. Richard Wilson.

Q. How old are you? A. About 52

Q. Whose slave were you? A. I belonged to the Brashears family, as far as I know.

Q. Are you a state man? A. No sir, I was bred born and raised in this Nation.

Q. Where were you after the war closed? A. I was at Robert Jones, when the war closed, and I have been here ever since.

(Indian Records show that he was sold out to a state man)

Richard Wilson: I was following after the Southern Army and fell sick here in Doakesville. I was hauled out of there by Mr. Jones to Doakesville, where he lived. I stayed there until the war closed. As to whether he was my owner or not I couldn't say. The only regular owner I knew anything about was Polly Brashears, and when I get to them I can tell whether they will swear that I was sold out or not. I have a witness here, Creasy Shoals, I want her to prove that I was carried to Jones' at that time.

Creasy Shoals being duly sworn, testified as follows in behalf of Richard Wilson.

Questioned by Richard Wilson.

Q. Didn't you find me at Robert Jones'? A. No sir, I didn't find you there. I don't hardly remember, but,--

Q. You know they called me Dick Warren at that time don't you? Ans. No sir, I don't remember anything about that.

Q. Did you ever know me by the name of Dick Warren? A/ I

Richard Wilson #8

can remember a white man there by the name of Dick Warren, I don't know whether he was the same or not, I know there was a colored boy with the white man, named Dick Warren, but I don't know whether it was this man or not.

Judge Lewis: I will just state for the benefit of the Commission, that when Daniels married my sister, this boy was there on the place, and he had a leg that was swelled in some way, and he couldn't hardly walk, and Daniels sent him to Ft. Smith to be Doctored, and the Doctor's bill run up so high he had to sell him to pay the doctor bill, and he sold him to a man by the name of Warren. Daniels died in 1863, and had not had any claim on this boy for some time before that. It was some time in 1859 I think when he sold him, before the war.

Richard Wilson: Is there anything to show positively that he sold me for the doctor bill? A. He told me the doctor bill got so high he had to sell you to pay the bill.

R. Wilson: Warren told me afterwards that he didn't own me at all, and when he went to New Mexico, he told me that if anything happened that I needed any help to call on Mr. Springs, and when I was sick at Doaksville, I called on Mr. Jones, and he carried me to his place and took care of me

Q. Where have you lived ever since then? A. I have lived here in the territory.

(Further testimony to be taken at other places)

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M. C. Smiley

In re application of Richard Wilson, for enrollment as a Choctaw Freedman:-

Nero Powell being first duly sworn by Com'r Needles, testified as follows:

Q. What is your name? A. Nero Powell.

Q. Do you know Richard Wilson? A. Yes sir.

Q. Where did you get acquainted with him? A. At Rose Hill, Kiamitia County.

Q. Who did he belong to at that time? A. I couldn't tell you that, but we used to call him Dick Warren when he stayed there.

Q. Do you know where he came from when he came there? A. No sir, not exactly.

Q. Was he supposed to belong to a white man named Warren? A. He claimed that, whether he was or not I couldn't tell you.

Q. The white man's name was Dick Warren was it? A. Yes sir.

Q. Why did you call this man Dick Warren? A. Because he came there with Dick Warren.

Q. Warren had control of him while he was there didn't he? A. Yes sir.

Q. Warren left him there until he got free didn't he? A. Yes sir he was there until he got free.

Q. He didn't belong to Jones did he? A. No sir, I don't think so, he was left there with Jones.

Q. Wasn't there some others left there too? A. Yes sir, there were some others left there. They were left there when Warren was there/

Q. Didn't he leave any others there when he went off? A. Yes sir, he left them all there, and they stayed there until they got free. Q. You always understood that they all belonged to Warren? A. That was what we called them.

Q. They all went as Warren's slaves? A. Yes sir.

Richard Wilson #8.

[Here Powell questioned by Richard Wilson]

Q. You are aware of the fact that I was hauled up there sick from Doaksville by Mr. Jones? A. Yes sir, you was hauled up there from Doaksville by Mr. James to be taken care of.

Q. And I remained there until after peace? A. Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

N A Smiley

Spiro, I. T. June 14th. 1899.

In re application of Richard Wilson for enrollment.

Turner Daniels being duly sworn testified as follows:---

Q. What is your name? A. Turner Daniels.

Q. Do you know Richard Wilson? A. Yes sir.

Q. Do you know who he belonged to during slavery times? A. I was a boy in about 1859, I think I was ten years old, Father raised this here Dick Wilson and he was about fourteen years old, and the old man took him to Ft Smith to have him doctored and he put him under Dr. Bumfort. I went down there after Wilson had stayed there a good while and his leg was no better, and Father said to the Doctor, what is my bill? And the Doctor said $400. and he said to him "Take the Darky". And he turned to Mr. Warren and said, "Warren if you will take that boy and have his leg cured you can have him".

Q. Your Father was Alfred Daniel was he? A. Yes sir.

Q. Did your Father ever pay the Doctor bill? A. Warren was to pay the bill.

Q. Did Warren ever take Richard Wilson? A. Yes sir.

Q. Did Warren agree to that trade? A Yes sir. But they never signed any papers.

Q. Your father didn't bring Dick back home did he? A. No sir

Q. Did Dick ever come back? A. No sir only once on a visit, to see his Sisters and brothers.

Q. Do you know when he didcome back. ? A. He came about the breaking out of the war and stayed a week or two and went back to Ft Smith.

Q. He was considered by all of youas belonging to Warren was he?

A. Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

W. A. Smiley

This affidavit filed by Richard Wilson, in his case, for enrollment as a Freedman, at Spiro, I.T., June 15th, 1899.

According to the best of my knowledge and remembrance, my husband, Dr. Geo. Erving Bomford never bought nor sold, the bearer of this note. (Richard Wilson).

Mrs. M. A. Bomford.

Sworn and subscribed before me, S. H. Sherlock, a Notary Public in and for County of Sebastian and State of Arkansas, by Mrs. M. A. Bomford, this 14th day of June, 1899.

S. H. Sherlock,
Notary Public.

My Commission will expire March 17, 1901.

17 D.-148

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment of Richard Wilson as a Cherokee Freedman.

—: D E C I S I O N :—

It appears from the record herein that on April 25, 1899, application was made to this Commission for the enrollment of Richard Wilson as a Cherokee Freedman. Further proceedings were had in the matter of said application at Spiro, Indian Territory, on [illegible]

It further appears from the record herein that the said Richard Wilson was not the [illegible] of a [illegible] Cherokee citizen during or [illegible]

Richard Wilson is not entitled to be [illegible] Freedman and that the application for his enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898, 30 Stat. 495, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

[illegible]
Commissioner.

[illegible]
Commissioner.

C. R. Breckinridge
Commissioner.

Muskogee, Indian Territory,
APR 21 1905

COPY.

Muskogee, Indian Territory, April 21, 1900.

Samuel Gilman,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 21, 1900, denying your application for enrollment as a Cherokee freedman.

The decision, with the record of proceedings in the case, is with the transcript to the Secretary of the Interior for approval, and it is expected that the decision will be made known in about [illegible] days.

Respectfully,

[illegible]

Secretary.

17-D-148

COPY

Muskogee, Indian Territory, April 21, 1906.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission rendered April 21, 1906, denying the application for the enrollment of Richard Wilson as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final action of the Secretary will be made known to you when the Commission is informed of the same.

Tams Bixby

Commissioner.

COPY.

Muskogee, Indian Territory, April 22, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Richard Wilson as a Choctaw freedman, including the decision of the Commission, dated April 21, 1905, denying said application.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Tams Bixby

Chairman.

Commissioner to the Five Civilized Tribes.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

G.R.
LLB

D.C. 46567-1905.
I.T.D. 5060-1905.

October 5, 1905.

LBS

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

April 21, 1905, the Commission to the Five Civilized Tribes transmitted the record of the application of Richard Wilson for his enrollment as a Choctaw freedman, including the decision of the Commission dated April 21, 1905, denying said application.

May 4, 1905, the Acting Commissioner of Indian Affairs reporting thereon, recommended that the decision of the Commission to the Five Civilized Tribes dated April 21, 1905, denying said application be affirmed. A copy of [illegible] is inclosed herewith.

The Department concurs in [illegible] decision of the Commission to the Five Civilized Tribes dated March 21, 1905, denying the application of [illegible] for his enrollment as a Choctaw freedman is hereby affirmed.

Respectfully,

THOS. RYAN,
Acting Secretary.

1 Enclosure.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON. May 4, 1905.

Land.
31383-1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated April 21, 1905, transmitting the record of the application for enrollment as a Choctaw Freedman by Richard Wilson.

April 21, 1905, the Commission decided adversely to the applicant.

The record shows that the applicant was not the slave of a recognized Choctaw citizen living up at the close of the war of the rebellion [illegible] decision adverse to the applicant is recommended.

Very respectfully,

W. T. Larrabee,
Acting Commissioner.

W.T.L.

17-D-143

Muskogee, Indian Territory, October 12, 1905.

Richard Wilson,

[illegible], Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of October 5, 1905, affirmed the decision of the Commission to the Five Civilized Tribes, dated April 21, 1905, denying your application for enrollment as a Choctaw freedman.

Respectfully,

Commissioner.

[illegible]

Muskogee, Indian Territory, October 12, 1906.

Mansfield, Murray & Cochran,

Attorneys for Chester and Chickasaw Nations,

[illegible], Indian Territory.

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of October 5, 1906, affirmed the decision of the Commission to the Five Civilized Tribes dated April 21, 1906, denying the application for the enrollment of Richard Wilson, a Chester freedman.

Respectfully,

1-2-148.

Muskogee, Indian Territory, August 20, 1904.

Richard Wilson,
Atoka, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a freedman of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as such freedman.

You are, therefore, requested to appear before the Commission at its general office, Muskogee, Indian Territory as soon as possible; or you may appear at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904; or at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

Respectfully,

Chairman.

[illegible]

[illegible]

Muskogee, Indian Territory, [illegible]

[illegible]

Richard Wilson,

Calhoun, Choctaw Nation.

Receipt is hereby acknowledged of your letter of March 31, 1906, relating to your right to enrollment.

In reply to your letter you are informed that the Commission is now considering the application of Richard Wilson for enrollment as a Choctaw freedman and as soon as a decision is reached in his case you will be advised of the action taken therein.

Respectfully,

Chairman.

DEPARTMENT OF THE INTERIOR,
WASHINGTON,

D.C. [illegible] October [illegible]
I.T.D. [illegible]

LBS

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

April 21, 1905, the Commission to the Five Civilized Tribes transmitted the record of the application of Richard Wilson for his enrollment as a Choctaw freedman, including the decision of the Commission dated April 21, 1905, denying said application.

May 4, 1905, the Acting Commissioner of Indian Affairs reporting thereon, recommended that the decision of the Commission to the Five Civilized Tribes dated April 21, 1905, denying said application be affirmed. A copy of his letter is inclosed.

The Department concurs [illegible] the Five Civilized Tribes dated April 21, 1905, denying the application of Richard Wilson for his enrollment as a Choctaw freedman is hereby affirmed.

Respectfully,

[illegible],
Acting Secretary.

1 inclosure.

[illegible]

[illegible]

Land.
[illegible]-1905.

The Honorable,

The Secretary of the Interior:

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated April [illegible], 1905, transmitting the record of the application for enrollment as a Cherokee Freedman by Richard Wilson.

April [illegible], 1905, the Commission decided adversely to the applicant.

The record shows that the applicant was not the slave of a recognized Cherokee citizen during or at the close of the war of the rebellion.

In view of [illegible] the Commission, decision adverse to the applicant is recommended.

Very respectfully,

C. F. Larrabee,
Acting Commissioner.

M.M.M.

This affidavit filed by Richard Wilson, in his case, for enrollment as a freedman, at Ogden, I.T., June 12th, 1896.

[redacted] knowledge and remembrance,

[redacted]

Mrs. M. A. Bomford.

Sworn and subscribed before me, S. E. Sherlock, a Notary Public in and for County of Johnston and State of Arkansas, by Mrs. M. A. Bomford, this 14th day of June, 1896.

S. E. Sherlock,
Notary Public.

My Commission will expire March 17, 1901.

Richard Wilson

DECISION RENDERED. APR 21 1905

REFUSED APR 21 1905

COPY OF DECISION FORWARDED APPLICANT APR 21 1905

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. APR 21 1905

RECORD FORWARDED DEPARTMENT. APR 21 1905

ACTION APPROVED BY SECRETARY OF INTERIOR. OCT 5 1905

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS.

OCT 12 1905

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT.

OCT 12 1905

Chot PR D-119 Bihar Wright

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SOUTH McALESTER, I. T., SEPT. 7th, 1899.

ALLEN WRIGHT, being sworn, testified as follows:

Q. What is your name? A. Allen Wright.

Q. How old are your A. Thirty (30) years.

Q. What was your mothers name? A. Easter Wright.

Q. Who did she belong to? A. Allen Wright.

Q. Have you always gone by the name of wright?

A. Yes sir.

Q. What county do you live in? A. Tobuskey.

Q. Always lived in the Nation, never went

A. Yes sir.

Q. Where did this Allen Wright live? A. Tushkahoma, I. T.

Q. Why have you never been enrolled?

A. I was enrolled in 1896., Aunt Lina enrolled us at Atoka.

Q. Have you been living in the Nation all the time?

A. Yes sir.

Q. Is your wife a citizen?

A. A Cherokee Citizen.

"You will have to bring some further and better proof of your right as a freedman". (Mr. Mankins)

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

R R Cravens

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, December 29, 1905.

--------oOo--------

In the matter of the application of Allen Wright for enrollment as a Choctaw Freedman.

Appearances. { Allen Wright, the applicant.
Not represented by attorney.
No appearance on behalf of Choctaw and Chickasaw Nations.

No proof of service of notice on attorneys for Choctaw and Chickasaw Nations of submission of this testimony.

Allen Wright being first duly sworn testified as follows:

Examination by the Commissioner:

Q What is your name? A Allen Wright.
Q How old are you? A I am forty-one the third or fourth of May past.
Q Where do you live? A At Krebbs.
Q How long have you lived in the Choctaw Nation? A All my life.
Q Were you born there? A Yes sir.
Q What is your father's name? A My father's name is Henry Wright.
Q Is your father living? ~~Mr~~ A No he's been dead twenty-eight or thirty years.
Q What is your mother's name? A Easter Wright.
Q Is your mother living? A No sir, she is dead, she died about a year after my father did.
Q Then your mother has been dead about thirty years? A Yes sir.
Q Were you born during or after the war? A Just before the war.
Q Who did you belong to before the war? A Allen Wright.
Q Was Allen Wright a Choctaw Indian? A Yes sir.
Q Is he living now? A No sir, he is dead.
Q How long has he been dead? A I couldn't exactly tell you how long he has been dead.
Q Are any of his relatives living now? A Yes sir, Allen Wright ~~is working~~ at South McAlester. He is a son of the Allen Wright I belonged to.
Q You say that you were the slave of Allen Wright at the time of the war? A Yes sir.
Q Did your father belong to Allen Wright? A Yes sir.
Q Who did your mother belong to? A She belonged to him too.
Q Both your father and mother were the slaves of Allen Wright at the time you were born? A Yes sir.
Q Did your father, mother and you stay with Allen Wright in the Choctaw Nation during the war? A Yes sir.
Q Where were your father and mother and you at the time the slaves were freed? A At Goodland.

Q How did you after the slaves were freed ever go out of the Choctaw Nation? A No sir.
Q Never did go any where else? A No sir.
Q You never left the nation then from the time you were born up to the present time? A No sir.
Q Are you married? A Not since my wife died.
Q Were you ever married? A Yes sir.
Q What was the name of your wife? A Mary Gardon.
Q Did you have any children by her? A Yes sir.
Q How many? A Six.
Q Give me their names and ages? A Albert, eighteen years old; Isaac, eleven years old; Maggie, nine years old; Metia, eight years old; Johnnie, seven years old; Myrtle, six years old.
Q These children all living? A Yes sir.
Q You never applied to have these children enrolled as Choctaw freedmen have you? A Yes sir.

The records of the Commission to the Five Civilized Tribes fail to show that any application of any character has ever been made for the enrollment of the above named children of the applicant, Allen Wright, as Choctaw Freedmen.

Q It appears that you made application for your enrollment as a Choctaw Freedman at South McAlester, Indian Territory, on September 7, 1899, at which time you stated that your wife, whose name you failed to give, was a Cherokee citizen? A That's right.
Q And you made no application at that time either for your wife or these children? A That's right, I didn't have time.

It does not appear that any application was made by Mary Wright for enrollment as a citizen of the Cherokee Nation, or that any application has ever been made for the enrollment of the children above named as Cherokee Freedmen.

Bertha Perry Shuler upon oath states that as stenographer to the Commissioner to the Five Civilized Tribes she correctly reported the testimony in the above entitled cause and that the foregoing is an accurate transcript of her stenographic notes thereof.

Bertha Perry Shuler

Subscribed and sworn to before me this December 30, 1905.

Myron White,
Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Krebs, Indian Territory, January 10, 1907.

In the matter of the application for enrollment of Allen Wright as a Choctaw Freedman.

Allen Wright being first duly sworn and examined testifies as follows:

ON BEHALF OF THE COMMISSIONER:

Q What is your name? A Allen Wright.
Q What is the name of your father? A Henry Wright.
Q What is the name of your mother? A Easter Wright.
Q Who was your father's owner? A Allen Wright.
Q Who was your mother's owner? A Allen Wright.
Q Were both your father and mother slaves during the Civil War? A Yes, sir.
Q This Allen Wright whom you claim was the owner of your father and mother, he was a citizen of the Choctaw or Chickasaw Nation, was he? A Yes, he was a Choctaw indian.
Q This same Allen Wright owned both your father and mother? A Yes, sir.
Q Is your father or mother living? A No, sir.
Q Do you know when they died? A My mother has been dead about twenty-nine years, and my father about thirty.
Q How old are you Allen? A About forty-three years old, going on forty-four.
Q When did you make application for enrollment as a Choctaw freedman? A I made my first application about in 1884, but they couldn't find that enrollment and the next time I made application was about seven years ago.
Q Where were you born? A I was born in the Chickasaw Nation, at Kemp postoffice.
Q How long did you live at Kemp? A About seven years.
Q Where did you move from Kemp? A I moved to Caney from Kemp.
Q About how long did you live at Caney? A I lived at Caney about nine or ten years.
Q Where did you move from Caney? A To Krebs.
Q Have you lived at Krebs continuously since you since you came from Caney? A Yes, sir.
Q Have you ever been out side of the Indian Territory? A No more than preached.
Q Have you ever made your residence or lived out of the Choctaw or Chickasaw Nation? A No, sir.
Q About how old were you when your father and mother died? A I think about eleven or twelve years old.

Allen Wright.

Q Who did you live with after that time? A I lived with Isaac Gordon.
Q At what town or postoffice did Isaac Gordon live? A Kemp.
Q How long did you live with this Isaac Gordon? A About seven years.
Q Who did you live with after that? A With a Choctaw named Dixon Lewis.
Q Did this Dixon Lewis live at Kemp? A No, at Caney.
Q Did you ever live with any body else besides this Isaac Gordon or Dixon Lewis? A No, sir.

(Witness excused)

I, F. E. Blackert, upon oath, state that I reported the proceedings in the above and foregoing cause and that the same is a true and correct transcript of my stenographic notes taken therein.

Fay E. Blackert

Subscribed and sworn to before me this 10th day of January, 1907.

Richard Shanafelt
Notary Public.

17-D-149.

Muskogee, Indian Territory, August 19, 1904.

Allen Wright,

South McAlester, Indian Territory,

Dear Sir:-

In the matter of your application for enrollment as a freedman of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your right to enrollment.

You are, therefore, requested to appear before the Commission at its general office at Muskogee, Indian Territory, as soon as possible; or you may appear at the Choctaw Land Office at Atoka, Indian Territory on September 6-7, 1904; or at the Chickasaw Land Office at Tishomingo, Indian Territory on September 8-9, 1904.

Respectfully,

Commissioner in Charge.

17-D-149.

Muskogee, Indian Territory, April 7, 1905.

Allen Wright,

South Mc Alester, Indian Territory.

Dear Sir:

In the matter of the application for enrollment as a Choctaw Freedman, you were advised by letter dated August 19, 1904, that it would be necessary for you to appear in person before the Commission together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to be enrolled as a Choctaw Freedman.

You are again advised that before disposition can be made of your application, it will be necessary for you to appear before the Commission at its office in Muskogee, Indian Territory, together with such other witnesses as you might be able to procure for the purpose of testifying relative to your right to such enrollment.

Such appearance should be made at the earliest possible date, in order that disposition may be made of said application.

Respectfully,

Commissioner in Charge.

17-D-149.

Muskogee, Indian Territory, June 16, 1905.

Allen Wright,

Krebs, Indian Territory.

Dear Sir:-

In the matter of your application for enrollment as a Choctaw freedman, you were advised by letter dated August 19, 1904, that it would be necessary for you to appear in person before the commission together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to be enrolled as a Choctaw freedman.

You are again advised that before disposition can be made of your application [illegible] appear before the Commission at its office in Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of testifying relative to your right to such enrollment.

Such appearance should be made at the earliest possible date, in order that disposition may be made of said application.

Very truly,

Muskogee, Indian Territory, June 16, 1905.

Myers & Losey,

Attorneys at Law,

Atoka, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of June 16, 1905, asking the status of the application of Allen Wright of Krebs, Indian Terr tory, for enrollment as a Choctaw freedman.

In reply to your letter you are advised that on April 7, 1905, a letter was addressed to Allen Wright, South McAlester, Indian Territory, notifying him to appear before the Commission at its office in Muskogee, Indian Territory, for the purpose of testifying relative to his [illegible] letter was returned "unclaimed". Another letter has this day been addressed to him at South McAlester, Indian Territory.

Respectfully,

Chairman.

Muskogee, Indian Territory, August 22, 1905.

Allen Wright,

Krebs, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of August 16, 1905, stating that you are ill and unable to come to Muskogee, August 19, 1905.

In reply to your letter you are advised that it will be necessary for you to appear in person at this office for the purpose of testifying relative to your right to enrollment as a Choctaw freedman before final disposition can be made of your application for enrollment. Such appearance should be made at the earliest date practicable.

Respectfully,

Commissioner.

17-D-149.

Muskogee, Indian Territory, November 28, 1905.

Allen Wright,

Care of Postmaster,

Krebs, Indian Territory.

Dear Sir:-

On August 22, 1905, you were advised that it was necessary for you to appear in person at this office for the purpose of t atifying relative to your right to enrollment as a Choctaw Freedman.

You are again advised that you should so appear at the earliest date practicable in order that your right to enroll ent as a Choctaw Freed[illegible]

Respectfully

Acting Commissioner.

17-D-149.

Muskogee, Indian Territory, December 20, 1905.

Allen Wright,

Krebs, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of December 16, 1905, in which you state that you were not able to appear at this office with your witnesses on the fourteenth instant, but you will be here on December 26, 1905.

In reply to your letter you are advised that you and your witnesses will be heard upon your appearance at this office December 26, 1905, in the matter of your application for enrollment as a [illegible]

Respectfully,

Commissioner.

17-D-149
O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Allen Wright as a Choctaw freedman.

DECISION.

It appears from the record herein that on September 7, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Allen Wright as a Choctaw freedman.

Although ample opportunity has been afforded said applicant to show by satisfactory evidence that he is entitled to be enrolled as a Choctaw freedman he has failed to do so.

I am of the opinion that following the ruling of the Department in the cases of Eliza Bryant, et al. (I.T.D. 544-1904), Ed Williams (I.T.D. 4230-1904), William Rector (I.T.D. 1468-1904), Minnie Duncan (I.T.D. [illegible]), [illegible] (I.T.D. [illegible]-1904), Martha Albert (I.T.D. 4732-1904), Moses Ross (I.T.D. 6056-1904) and Jane Looney (I.T.D. 12688-1904), the application for the enrollment of Allen Wright as a Choctaw freedman, should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

Commissioner.

Muskogee, Indian Territory,
JAN 23 1907

IT-D[illegible]

COPY

Muskogee, Indian Territory, January [illegible] 190[illegible]

Allen Wright,

Tvshka, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 23, 190[illegible], denying the application for your enrollment as a Choctaw freedman.

The evidence with the record of proceedings in the case, in this city transmitted to the Secretary of the Interior for review. Formal notice of the decision will be given you by him as soon as this office is informed of the action [illegible]

[illegible]

SIGNED Tams Bixby

Commissioner.

17-2-140

COPY

Muskogee, Indian Territory, January 25, 1907.

Ayers & Perry,
Attorneys at Law,
Atoka, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 23, last, denying the application for the enrollment of Allen Wright as a Choctaw freedman.

The decision, with the record of proceedings in the case, [illegible] submitted to the Secretary of the Interior for review. [illegible] such as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Encl. 17-2-140

Registered.

17-B-149

COPY

Muskogee, Indian Territory, January 123, 1907 .

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nation.
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 23, 1907, denying the application for the enrollment of Allen Wright as a Choctaw Freedman.

The decision with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED: Tams Bixby

Commissioner.

Enc. No. 1-4.

COPY

Muskogee, Indian Territory, January 23, 1907.

The Honorable,

The Secretary of the Interior:

Sir:

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Allen Wright as a Choctaw freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated January 23, 1907, denying the application.

Respectfully,

signed James Bixby

Encl. 17-D-148

Through the
Commissioner of Indian Affairs.

D.C. 12438.

J.P.

DEPARTMENT OF THE INTERIOR,

I.T.D. WASHINGTON. FHE.

4990, 5020, 5024, 5088, 5090-97.
5092, 5110, 5116, 5118, 5178-"

February 28, 1907.

LRS.

Direct.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship cases adverse to the applicants are hereby affirmed, viz:

Title of case.	Date of your letter of transmittal.
Alfred Pyburn,	January 9, 1907.
Frankie Buck,	January 9, 1907.
Arizona Pearl Summers,	January 9, 1907.
Mother J. Buchman,	January 16, 1907
James O. Rumley,	December 1, 1906
Jackson R. Lewis,	December 1, 1906
Dora E. Smith,	January 28, 1907
Mary Fitch	January 14, 1907
Jeff Sampson	January 21, 1907
Ellen Wright (Freedman)	January 23, 1907

Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed, are inclosed.

A copy hereof and all the papers in the above-mentioned cases have been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

10 inc. and 20 for Ind. Off.

AFMc.
3-1-07.

Refer in reply to the following. 945/122 -Copy-

DEPARTMENT OF THE INTERIOR,

Lands. OFFICE OF INDIAN AFFAIRS,
3468-1907.

WASHINGTON, February 23, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application for the enrollment of Allen Wright as a Choctaw freedman, including the decision of the Commissioner to the Five Civilized Tribes dated January 23, 1907, adverse to the applicant.

The record shows that on September 7, 1899, application was made to the Commission to the Five Civilized Tribes, for the enrollment of Allen Wright as a Choctaw freedman.

Commissioner Bixby reports that although ample opportunity has been afforded the applicant to show by satisfactory evidence that he is entitled to be enrolled as a Choctaw freedman, he has failed to do so.

Therefore, by reason of the provisions of Section 21, of the act of Congress approved June 28, 1898 (30 Stat. L., 495), the Office concurs in the decision of Commissioner Bixby denying the enrollment of Allen Wright as a Choctaw f[illegible]

19-B-149

Muskogee, Indian Territory, April 11, 1907.

Allen Wright,

Kreebs, Indian Territory.

Dear Sir:

You are hereby advised that on February 28, 1907, the Secretary of the Interior affirmed the decision of this office of January 24, 1907, denying the application for your enrollment as a Choctaw freedman.

Respectfully,

Geo. D. Rodgers

Commissioner.

[illegible]

[illegible] Indian Territory, April 12, 1907.

[illegible] & Lowry,
Attorneys at Law,
[illegible], Indian Territory.

Gentlemen:

[illegible] advised that on February [illegible], 1907, the Secretary of the Interior [illegible] the decision of this office [illegible] application for the enrollment [illegible]

[illegible]

Very Respectfully,

[illegible]
Commissioner.

17-B-149

Muskogee, Indian Territory, April 11, 1907.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on February 28, 1907, the Secretary of the Interior approved the decision of this office of October 11, 1906, denying the application for the enrollment of Lillie Wright as a Choctaw Freedman.

Geo. D. Rodgers,

Commissioner.

REFER IN REPLY TO THE FOLLOWING:

94
177

CopyL

DEPARTMENT OF THE INTERIOR,

Land
8465-1907.

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

February 23, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application for the enrollment of Allen Wright as a Choctaw freedman, including the decision of the Commissioner to the Five Civilized Tribes dated January 23, 1907, adverse to the applicant.

The record shows that on September 7, 1899, application was made to the Commission to the Five Civilized Tribes, for the enrollment of Allen Wright as a Choctaw freedman.

Commissioner Bixby reports that although ample opportunity has been afforded the applicant to show by satisfactory evidence that he is entitled to be enrolled as a Choctaw freedman, he has failed to do so.

Therefore, by reason of the provisions of Section 21 of the Act of Congress approved June 28, 1898 (30 Stat. L., 495), the Office concurs in the decision of Commissioner Bixby denying the enrollment of Allen Wright as a Choctaw freedman.

Very respectfully,

C. F. LARRABEE

Acting Commissioner.

KRM.Ph.

17-D-149

Muskogee, Indian Territory, June 16, 1905.

Ayers & Losey,

Attorneys at Law,

Atoka, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of June 10, 1905, making the status of the application of Allen Wright of Krebs, Indian Territory, for enrollment as a Choctaw freedman.

In reply to your letter you are advised that on April 7, 1905, a letter was addressed to Allen Wright, South McAlester, Indian Territory, notifying him to appear before the Commission at its office in Muskogee, Indian Territory, for the purpose of testifying relative to his right to enrollment as a Choctaw freedman, but [illegible] day [illegible] been addressed to him at Krebs, Indian Territory.

Respectfully,

Tams Bixby,

Chairman.

Allen & Wright

REFUSED. JAN 23 1

COPY OF DECISION FORWARDED
APPLICANT JAN 23 190

COPY OF DECISION FORWARDED
ATTORNEY FOR APPLICANT.

JAN 23 190

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS.

RECORD FORWARDED DEPARTMENT

ACTION
RECEIVED

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR CHOCTAW AND CHICKASAW NATIONS. APR 1907

NOTICE OF D
FORWARDED A APR 1907

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT

Clue FK 2150 Mary Wright

D-150

In re the application of Mary Wright to the Commission to the Five Civilized Tribes at Spiro, I. T. June 13th. 1899 for enrollment as a Choctaw Freedman, being duly sworn by Commissioner Needles and examined by him et alsho testified as follows:---

Q. What is your name? A. Mary Wright.

Q. How old are you. A. About thirty five.

Q. Who was your mother? A. Maria McGee.

Q. Who did she belong to? A. She is a negroewoman.

Q. What was your father's name? A. George Lunsford.

Q. Who did he belong to? A. To a man by the name of Lunsford.

Q. Were your father and mother married? A. Yes sir.

Applicant requested to get further proof of her rights as a to her rights as a Freedman.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

W A Shirley

Testimony of Mary Wright

What is your name Mary Wright

What is your P. O. Spiro, I. T.

How old are you About 30 or 40

What is your fathers name Geo. Lunsford

What is your mothers name --------Maria McGee

Through whom do you claim citizenship My Father

Who did your father belong to -----The Lunsfords

Where did they live-------I think in the Chick Nation

Were the Lunsfords Indians------- Yes sir

What tribe did they belong---------Chickasaw I guess

Have you ever been notified by the Com. to the 5 Tribes to appear before them to furnish evedince in regard to your enrollment

Yes sir, but I didnt think it was any use for me to go

Do you know any thing about your father and mothers people---No sir not a thing

Have you ever tried to find out whom your father was a slave of

No Sir

Do you ever expect to be admitted as a Choc freedman----No Sir

Do you know any one that knew your fathers owners No Sir

How do you know he belonged to the Lunsfords----That is what ma her said

MaryxWright
mark

Witness to mark
A. H. Smith
J. L. Gary

Subscribed and sworn to before me this 31st day of January 1907,

J. L. Gary
Notary Public

17-D-150.

Muskogee, Indian Territory, August 20, 1904.

Mary Wright,

Spiro, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a freedman of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights as such freedman.

You are hereby requested to appear before the Commission at its office, Muskogee, Indian Territory as soon as possible, or you may appear at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904, or at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

Respectfully,

Chairman.

17-D-150.

Muskogee, Indian Territory, November 28, 1905.

Mary Wright, (Colored),
Care of Postmaster,
Spiro, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a Choctaw Freedman you have been advised [illegible] by letter that it would be necessary for you to appear in person at this office, together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to be enrolled as a Choctaw Freedman.

You are again advised that before disposition can be made of your application it will be necessary [illegible] to appear at this office at Muskogee, Indian Territory, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your right to such enrollment.

Such appearance should be made at the earliest date possible, in order that disposition may be made of said application.

Respectfully,

Acting Commissioner.

17-D-150

Muskogee, Indian Territory, January 5, 1906.

Mary Wright,

Spiro, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of December 29, 1905, in which you state that you cannot furnish the information requested as to your father in the matter of your application for enrollment as a Choctaw freedman.

Respectfully,

Commissioner.

17-D-158.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mary Wright as a Choctaw freedman.

-: D E C I S I O N :-

It appears from the record herein that on June 13, 1899, at Spiro, Indian Territory, Mary Wright, about 34 years old, made application to the Commission to the Five Civilized Tribes for the enrollment of herself as a Choctaw freedman.

Although ample opportunity has been afforded the applicant to show by satisfactory evidence that she is entitled to enrollment as a Choctaw freedman she has failed to do so.

I am of the opinion that following the ruling of the Department in the case of Ellen J. Bryant, et al. (I.T.D. 644-1904), William Hester (I.T.D. 1405-1904), Minnie Duncan et al. (I.T.D. 1470-1904), Samantha Chambers (I.T.D. 1896-1904), Ed Williams (I.T.D. 4250-1904), Moses Ross (6056-1904), Florence Bratcher (I.T.D. 12682-1904) and Frankie Grimmett (I.T.D. 17902-1904), the application for the enrollment of Mary Wright as a Choctaw freedman should be denied and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

FEB 14 1907

17-D-150.

COPY

Muskogee, Indian Territory, February 14, 1907.

Mary Wright,

Spiro, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 14, 1907, denying the application for your enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Encl. 17-D-150.

Registered.

17-D-150.

COPY.

Muskogee, Indian Territory, February 14,1907.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 14, 1907, denying the application for the enrollment of Mary Wright as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Incl. 17-D-150.

COPY

Muskogee, Indian Territory, February 14, 1907.

The Honorable,

The Secretary of the Interior:

Sir:

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Mary Wright as a Chowtaw Freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated February 14, 1907, denying said application.

Respectfully,

SIGNED Tams Bixby

Commissioner.

8 Incl.

Through the

Commissioner of Indian Affairs.

[illegible] 1907. [illegible]

DEPARTMENT OF THE INTERIOR,

WASHINGTON, March 4, 1907.

I. [illegible]

[illegible] 1906, 1906-07,
[illegible]

[illegible]

[illegible]

[illegible] to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw enrollment cases adverse to the applicants are hereby affirmed, viz:

Title of case.	Date of your letter of transmittal.
[illegible]	[illegible], 1907.
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

Copies of Indian Office letters submitting your reports and recommending that the decisions be approved, are inclosed.

A copy hereof and the papers in the above-mentioned cases have been sent to the Indian Office.

Respectfully,

E. A. Hitchcock,

Secretary.

[illegible] Sr. with
[illegible]

Refer in reply to the follo. 948
349

DEPARTMENT OF THE INTERIOR,

Land.
16286-1907.

OFFICE OF INDIAN AFFAIRS,

WASHINGTON. March 1, 1907.

C O P Y.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby, dated February 14, 1907, transmitting the record relative to the application of Mary Wright for enrollment as a Choctaw freedman, including the decision of the Commissioner, dated February 14, 1907, adverse to the applicant.

The decision of the Commissioner has been examined, and found to be correct, and it is recommended for approval.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

HRD-LC.

[illegible]

Muskogee, Indian Territory, April 30, 1907.

[illegible]

Mary Welch,

[illegible], Indian Territory.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 24, 1907, denying the application for your enrollment as a Choctaw freedman.

Respectfully,

Geo. D. Rodgers.

Acting Commissioner.

[illegible]

Muskogee, Indian Territory, April 10, 1907.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 14, 1907, denying the application for the enrollment of Mary Wright as a Choctaw freedman.

Respectfully,

Geo. D. Rodgers.
Acting Commissioner.

19-B-150.

Muskogee, Indian Territory, August 29, 1904.

Mary Wright,

Spiro, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a freedman of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your right to enrollment.

You are, therefore, requested to appear beefe the Commission at its general office at Muskogee, Indian Territory, as soon as possible; or you may appear at the Choctaw Land Office at Atoka, Indian Territory on September 6-7, 1904; or at the Chickasaw Land Office at Tishomingo, Indian Territory on September 8-9, 1904.

Respectfully,

Commissioner in Charge.

W. O.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. MARTIN,
C. R. MIDDLETON.
WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER ONLY TO THE FOLLOWING
17-[illegible]

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 7, 1906.

Mary Wright,

Spiro, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a Choctaw Freedman, you were advised by letter dated August 10, 1904, it would be necessary for you to appear in person before the Commission together with such witnesses as you might be able to procure for the purpose of testifying relative to your right to be enrolled as a Choctaw Freedman.

You are again advised that before disposition can be made of your application, it will be necessary for you to appear before the Commission at its office at Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of testifying relative to your right to such enrollment.

Such appearance should be made at the earliest date possible, in order that disposition may be made of said application.

Respectfully,

Commissioner in Charge.

948/349

REFER IN REPLY TO THE FOLLOWING:

LAND
16286-1907.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

C O P Y

March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby, dated February 14, 1907, transmitting the record relative to the application of Mary Wright for enrollment as a Choctaw freedman, including the decision of the Commissioner, dated February 14, 1907, adverse to the applicant.

The decision of the Commissioner has been examined, and found to be correct, and it is recommended for approval.

Very respectfully,

C F Larrabee

Acting Commissioner.

HRB-LG..

Mary Wright.

REFUSED. FEB 14 1907

COPY OF DECISION FORWARDED
APPLICANT FEB 14 1907

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS. FEB 14 1907

RECORD FORWARDED DEPARTMENT.
FEB 14 1907

ACTION APPROVED BY
SECRETARY OF INTERIOR. M 07

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. APR 10 1907

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT. APR 10 1907

Choc FR D-151 Anderson Gilbert

FR D-151

In the matter of the application of Anderson Gilbert, to the Commission to the Five Civilized Tribes at Alikchi, I.T., April 10th 1899, for enrollment as Choctaw Freedman. Being duly sworn and examined by Commissioner Needles, et al, he testified as follows:

Q. What is your name? A. Anderson Gilbert.

Q. How old are you? A. 42

Q. Were you a slave? A. Yes sir.

Q. Who was your master? A. Sampson Folsom.

Q. Didn't you runn off, you and Ben Folsom during the war? A. No sir.

Q. Was Ben your brother? A. Yes sir.

Q. Were you in the Pen in 1885? A. No sir.

Requested to meet the Commission at Oak Lodge, and furnish further proof.

Mitchell Willis, being duly sworn, testified as follows in behalf of Anderson Gilbert.

Q. Mitchell what do you know about this man Anderson Gilbert? A. I don't know anything more than that he belonged to Sampson Folsom. Q. What did they do after the war? A. They come up here to Doaksville.

Q. Didn't he live over about Skullyville? A. That was afterwards, a good while.

(Applicant requested to meet Commission at Doaksville, and take testimony of Sim Folsom there, instead of Oak Lodge)

17-532
17-D-151.

Muskogee, Indian Territory, October 28, 1904.

William Hamilton,

Grant, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 22nd instant, requesting information relative to the status of the application for enrollment of Mahala Irving and her family and that of Anderson Gilbert as Choctaw freedmen.

You are informed that the Commission has not yet determined the rights to enrollment as Choctaw freedmen of Mahala Hamilton, formerly Irving, and her family. If you will communicate with this office again at the expiration of sixty days, you will be further advised in the matter.

Relative to the application for enrollment of Anderson Gilbert, as a Choctaw freedman, you are informed it will be necessary before his application can receive further consideration, for him to appear before the Commission at its office in Muskogee, Indian Territory for the purpose of testifying relative to his rights as a Choctaw freedman. It is important that this appearance be made with as little delay as possible.

Respectfully,

17-D-151.

Muskogee, Indian Territory, November 23, 1904.

Anderson Gilbert,

Grant, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of November 21, 1904, stating that you are not able to come to Muskogee and wish to be advised if you cannot send affidavits instead of making personal appearance.

In reply to your letter you are informed that if you desire to introduce affidavits in support of your application for enrollment as a Choctaw freedman, you will be permitted to do so, but it would be advisable for you to appear before the Commission in person at its office in Muskogee, Indian Territory, for the purpose of testifying relative to your right to enrollment as a Choctaw freedman.

Respectfully,

Chairman.

17-D-151

Muskogee, Indian Territory, January 9, 1905.

Anderson Gilbert,

Grant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 4, 1905, asking if your name has been placed upon the approved roll.

In reply to your letter you are informed it appears from our records that Anderson Gilbert, formerly the slave of Sampson Fulsom, is an applicant to this Commission as a Choctaw freedman, but his final right to such enrollment has not yet been determined.

Respectfully,

Chairman.

17-B-1604.

Muskogee, Indian Territory, October 4, 1905.

Emerson Gilbert,

Grant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of September 19, asking if you have been approved. In reply you are advised that no decision has yet been reached in the matter of your application for enrollment as a Choctaw freedman and as you have heretofore been advised, you should appear at this office in person at the earliest possible date for the purpose of [illegible] to such enrollment.

Respectfully,

Commissioner.

17-D-151.

Muskogee, Indian Territory, January 12, 1906.

Anderson Gilbert,

Grant, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of January 8, 1906, in which you ask if you are approved and can now make selection of allotment.

In reply to your letter you are advised that no decision has as yet been reached in the matter of your application for enrollment as a Choctaw freedman, and as you have heretofore been informed, you should appear at this office as early as practicable for the purpose of testifying relative to your right to enrollment as a Choctaw freedman.

Service of notice of the time of taking of such testimony must be first served on the attorneys for the Choctaw and Chickasaw Nations.

Respectfully,

Commissioner.

17-D-161.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of [redacted] as a Cherokee freedman.

O R D E R :-

It appears from the record herein that on April 19, 1906, at Allen, Indian Territory, application was made to the Commissioner to the Five Civilized Tribes for the enrollment of [redacted] as a Cherokee freedman.

Although ample opportunity has been afforded the applicant to show by satisfactory evidence that he is entitled to enrollment as a Cherokee freedman, he has failed to do so.

I am of the opinion that following the ruling of the Department of the Interior in Thomas L. Blount, decd. (I.T.D. 2222-1904), William Rector (I.T.D. 1468-1904), Minnie Duncan, et al. (I.T.D. 1470-1904), Samantha Chambers (I.T.D. 2224-1904), Ed Williams (I.T.D. 4130-1904), Moses Rose (I.T.D. [illegible]-1904), Florence Brother (I.T.D. 1[illegible]92-1904) and Frankie Whitmore (I.T.D. 1[illegible]02-1904), the application for the enrollment of [redacted] as a Cherokee freedman should be denied and it is so ordered.

Commissioner.

Muskogee, Indian Territory,
FEB 16 1907

17-D-181

COPY

Muskogee, IndianTerritory, February 16, 1907.

Anderson Gilbert,

Grant, Indian Territory.

Dear Sir:-

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 16, 1907, denying the application for the enrollment of Anderson Gilbert as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Incl. 17-D-181

17-D-151

COPY

Muskogee, Indian Territory, February 16, 1907.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:-

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 16, 1907, denying the application for the enrollment of Andersen Gilbert as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Enclosed.
Encl. 17-D-151

COPY

Muskogee, Indian Territory, February 16, 1907.

The Honorable,

The Secretary of the Interior,

Sir:

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Anderson Colbert as a Choctaw freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated February 16, 1907, denying said application.

Respectfully,

SIGNED Tams Bixby

Commissioner.

2 Incl. 17-D-151.

Through the
Commissioner of Indian Affairs.

J.P.

DEPARTMENT OF THE INTERIOR,

[illegible]-1907. WASHINGTON. O.K.

[illegible]

March 2, 1907.

[illegible]

[illegible]

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Cherokee citizenship cases, adverse to the applicants, are hereby affirmed. Copies of Indian Office letters, submitting your reports and recommending that the decisions be affirmed, are enclosed:

Title of Case.	Date of Your Letter of Transmittal.
Robert Ward and Willie Ward (Freedmen),	February 12, 1907.
Jane Robinson (Freedman),	February 12, 1907.
[illegible] (Freedman),	February 14, 1907.
[illegible]	February 12, 1907.
[illegible] Hunter, (Freedman),	February [illegible]
[illegible]	February [illegible]
[illegible] and [illegible]	February 14, 1907.
[illegible]	February 14, 1907.
[illegible] (Freedman),	February 14, 1907.
[illegible] (Freedman),	February 14, 1907.
[illegible] (Freedman),	February 14, 1907.
[illegible]	February 14, 1907.
[illegible] (Freedman),	February 14, 1907.

Title of Case.	Date of Your Letter of Transmittal.
Robert Buffle (Freedman),	February 14, 1907.
Bruce McMurry (Freedman),	February 14, 1907.
William Ray and Lena Ogden Nelson,	February 16, 1907.
Polly Henry and Fred Daniels (Freedman),	February 12, 1907.

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

19 inc. and 38 inc. to
Ind. Off.

W.C. F. 3/3/07.

Refer in reply to the following.

Land
17981-1907.
D.C.-12635-1907.

(COPY)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

February 28, 1907.

The Honorable,
The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby dated February 16, 1907, transmitting the record relative to the application of Anderson Gilbert for enrollment as a Choctaw freedman, together with the Commissioner's decision of February 16, 1907, denying the application. An examination of the record shows that the Commissioner's decision is correct, and the approval is recommended.

Very respectfully,
C. F. Larrabee,
Acting Commissioner.

GAW-GH.

17-D-151

Muskogee, Indian Territory, March 26, 1907.

Anderson Gilbert,

Grant, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of this office of February 16, 1907, denying the application for the enrollment of Anderson Gilbert as a Choctaw freedman.

Respectfully,

Commissioner.

17-D-151

Muskogee, Indian Territory, March 25, 1907.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of this office of February 16, 1907, denying the application for the enrollment of Anderson Gilbert as a Choctaw freedman.

Respectfully,

Commissioner.

[illegible]

[illegible]

Muskogee, Indian Territory, August 10, 1906.

[illegible]

[illegible]

[illegible]

In the matter of your application for enrollment as a freedman of the Creek Nation, it will be necessary for you to appear in person before the Commission, together with such witnesses as you may be able to produce, for the purpose of identifying Tobechie as your right to enrollment.

You are, therefore, requested to appear before the Commission at its general office at Muskogee, Indian Territory, as soon as possible, or you may appear at the Creek Land Office at Okmulgee, Indian Territory on September 6-7, 1906, or at the [illegible]

Respectfully,

Commissioner in Charge.

W.O.B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEBLACK,
C. R. BREARINGTON,
—
WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-151

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 25, 1904.

Anderson Gilbert,
Grant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 21, 1904, stating that you are not able to come to Muskogee and wish to be advised if you cannot send affidavits instead of making personal appearance.

In reply to your letter you are informed that if you desire to introduce affidavits in support of your application for enrollment as a Choctaw freedman, you will be permitted to do so, but it would be advisable for you to appear before the Commission in person at its office in Muskogee, Indian Territory, for the purpose of testifying relative to your right to enrollment as a Choctaw freedman.

Respectfully,

Chairman.

17-D-151

Muskogee, Indian Territory, March 13, 1905.

Susan Anderson Gilbert,

Fort Smith, Arkansas.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 7, 1905, in which you state that you have never appeared before the Commission but that you are the wife of Anderson Gilbert a Choctaw freedman who is now in the penitentiary at Detroit, Michigan; if you are entitled to any benefit you would like to be advised.

In reply to your letter you are informed that the Commission has not yet passed upon the application of Anderson Gilbert for enrollment as a Choctaw freedman.

You are further informed that if you claim a right as a [illegible] to Anderson Gilbert, the [illegible] of [illegible] of law [illegible] citizens acquire any rights in the Choctaw and Chickasaw Nations by marriage to Choctaw and Chickasaw freedmen.

Respectfully,

Chairman.

REFER IN REPLY TO THE FOLLOWING:

17-D-151

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 28, 1905.

Andersen Gilbert,

Grant, Indian Territory.

Dear Sir:

On October 4, 1905, you were advised that you should appear at this office at Muskogee, Indian Territory, in person at the earliest possible date, for the purpose of testifying relative to your right as a Choctaw Freedman.

You are again advised and reminded that until you so appear at this office no further consideration can be given your application as such freedman.

You should appear at this office as soon as possible.

Respectfully,

Geo D Rodgers
Acting Commissioner.

12-D-151

Muskogee, Indian Territory, June 30, 1896.

[illegible]

Fort Smith, Arkansas.

[illegible]

Your letter [illegible] date, addressed to the United States Indian Agent has been by him referred to this office for appropriate action. [illegible] relative to the right of Susan Anderson, a woman of [illegible] mind, in the Choctaw Nation by reason of being the widow of Gilbert Anderson who was sent to the penitentiary by the United States Court at Fort Smith. You ask if she will be entitled to enrollment, and state that you know she has lived in the Indian Territory near Fort Smith for a number of years.

In reply you are advised that it does not appear from the records of this office that application has been made in behalf of Susan Anderson for enrollment as a citizen or freedman of the Choctaw or Chickasaw Nation.

It appears from the letters enclosed with your communication that [illegible] claims the right to enrollment solely by reason of her married [illegible] Anderson, and you are informed [illegible] is not entitled to enrollment as a member

freedman, but his right to such enrollment has not yet been determined.

You are advised that there is no provision of law known to this office whereby non-citizens acquire any rights by reason of marriage to Choctaw and Chickasaw freedman.

Your attention is also invited, in connection with this matter, to the following provision of the Act of Congress, approved April 26, 1906:

> "That after the approval of this Act no person shall be enrolled as a citizen or freedman of the Choctaw, Chickasaw, Cherokee, Creek, or Seminole tribes of Indians in the Indian Territory, except as herein otherwise provided, unless application for enrollment was made prior to December first, nineteen hundred and five, and the records in charge of the Commissioner to the Five Civilized Tribes shall be conclusive evidence as to the fact of such application."

The letters, enclosed with your communication, are herewith returned.

Respectfully,

REFER IN REPLY TO THE FOLLOWING:

(COPY)

DEPARTMENT OF THE INTERIOR,

Land
17981-1907.

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

February 28, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby dated February 16, 1907, transmitting the record relative to the application of Anderson Gilbert for enrollment as a Choctaw freedman, together with the Commissioner's decision of February 16, 1907, denying the application. An examination of the record shows that the Commissioner's decision is correct, and the approval is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

GAW-GH.

Anderson Gilbert

REFUSED. FEB 16 1907

RECORD FORWARDED DEPARTMENT.

FEB 16 1907

COPY OF DECISION FORWARDED APPLICANT FEB 16 1907

COPY OF DECISION FORWARDED ATTORNEY FOR APPLICANT. FEB 16 1907

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. FEB 16 1907

ACTION APPROVED BY SECRETARY OF INTERIOR. MAR 2 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. MAR 2 1907

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT. MAR 4 1907

Choc FR D-152 Richmond Ferry

Granted
and record trans to Choc FR 1528
May 20, 1905

Choc FR 0-153 Susan Lane

Cancelled

Duplicate of no. 1 on Choc Fr. card 1397.

Dec 9 1905

0-153

Chic FR D-154 Black Wards
record trans to Chic FR D197

FR D-154

Orig FR D-155 George Lynch

Cancelled

Trans to Cherokee FR card D134

Dec 16, 1905

FR D-155

[illegible]

[illegible], Indian Territory, November 20, 1905.

[illegible] Lynch,

Muskogee, Indian Territory.

[illegible]

[illegible] advise this office [illegible] as whether you desire to introduce any further testimony relative to your rights as a Choctaw Freedman.

If you do not desire to offer any further testimony in the matter of your application it will be disposed of upon the record as now made up.

An envelope which requires no postage is [illegible]

[illegible]

Acting Commissioner.

17-D-185

Muskogee, Indian Territory, December 15, 1905.

Richard L. Martin,

Pensacola, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 4, 1905, asking the whereabouts of George W. Lynch a freedman.

In reply to your letter you are advised that the last known post office address as it appears from the records of this office is Bokchito, Indian Territory.

Respectfully,

Commissioner.

17-3-145

Muskogee, Indian Territory, December 20, 1905.

Union Clerk,

Chickasaw Land Office,

Ardmore, Indian Territory.

Referring to Choctaw freedman card D 185 you are advised that George Lynch has been transferred to Cherokee freedman card D 1342 and Choctaw freedman card D 185 has been cancelled.

You will therefore eliminate the name of this person from your list of undetermined applicants for enrollment as Choctaw freedman.

Respectfully,

17-D-156

Muskogee, Indian Territory, December 30, 1908.

Chief Clerk,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

[illegible] card D 1548 [illegible] that [illegible] has been transferred to Cherokee freedman card D 1542 and Choctaw freedman card D 155 has been cancelled.

You will therefore eliminate the name of this person from your list of undetermined applicants for enrollment as Choctaw freedman.

Respectfully,

COPY.

Chester F.D. 155
Cherokee F.D. 1342

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of George Lynch as a Chester (Cherokee) freedman.

--o--

O R D E R.

--o--

THE RECORDS IN THIS OFFICE SHOW: That on August 21, 1899, George Lynch appeared before the Commission to the Five Civilized Tribes, at Muskogee, Indian Territory, and testified in connection with his application for enrollment, as follows: [illegible] years old. [illegible] a Chickasaw. I married [illegible] Spring. [illegible] Spring was a Chickasaw. I have [illegible] children;" and that said George Lynch was listed for enrollment as Chester freedman card, field No. R-155.

THE EVIDENCE IN THIS CASE SHOWS: That said George Lynch does not claim to be a freedman citizen of the Chester Nation, but claims to be a freedman citizen of the Cherokee Nation.

IT IS THEREFORE ORDERED: That the enrollment of George Lynch as Chester freedman card No. R-155 be cancelled, that he be listed for enrollment as Cherokee freedman card No. R-1342; that the record in Chester freedman case R-155 be transferred to Cherokee freedman case No. R-1342, and that proper steps be taken in order to determine the right to enrollment as a Cherokee freedman of said George Lynch.

Tams Bixby
Commissioner.

Commissioner to Indian Territory.

CANCELLED

DEC 16 190

Choc FR D-156 Rosa Davis

Dismissed Feb 11, 1907

FR D-156

FREEDMAN

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Gaddo, I.T., August 22, 1899.

In the matter of the enrollment of Rosa Davis, Will Davis, her husband, being sworn by Commissioner Needles and examined by him et als., testified:

I am a non-citizen. My wife's name is Rosa Davis. She is a citizen. She belonged to George Hawkins. She has always lived in the Territory. Her name before I married her was Rosa Hawkins.

Randall Gardner being sworn testified:

I knew Rosa Davis as Rosa Jolly. She is a citizen and has always lived in the Terrtory. Her mother was Chanet Hawkins. I do not know the child that he wants to enroll.

Redirect:

This child is 16 or 17 years old and has always lived in the Territory.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

B McDonald

17-D-158.

Muskogee, Indian Territory, August 19, 1904.

[illegible]

[illegible]

[illegible] matter of your application for enrollment as a [illegible] it will be necessary for you to [illegible] the [illegible] as soon as possible to present, for the purpose of [illegible] relative to your rights as such freedmen.

You are, therefore, requested to appear [illegible] at the [illegible] office, Muskogee, Indian Territory, [illegible]

[illegible]

[illegible] Muskogee, Indian Territory, [illegible] 1904.

Respectfully,

[illegible]

W. O. D.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREWERTON.

WM. O. BEALL,
Secretary.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-B-156

Muskogee, Indian Territory, April 7, 1905.

[illegible],

[illegible], Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a Cherokee Freedman, you were advised by letter dated August 19, 1904, that it would be necessary for you to appear in person before the Commission together with such witnesses as you might be able to procure for the purpose of testifying relative to your right as such freedman.

You are again advised that before disposition can be made of the application, it will be necessary for you to appear in person before the Commission at its office in Muskogee, Indian Territory, together with such witnesses as you may be able to procure who can testify relative to your right to be enrolled as a Cherokee freedman.

[illegible] should be done at the earliest possible date, as after that [illegible] will not be [illegible] your application.

Respectfully,

[illegible]

Commissioner in charge.

Department of the Interior,
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

17-D-156

MUSKOGEE, IND. T.
APR 29

CADDO
MAY
16
3 PM
1905
IND. T.

UNCLAIMED
RETURNED
TO
WRITER

Rosa Davis,
Caddo, Indian Territory.

REFER IN REPLY TO THE FOLLOWING:
17-D-156

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 28, 1905.

Rosa Davis, (Colored),
Care of Postmaster,
Caddo, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a Choctaw Freedman you have been several times advised that it would be necessary for you to appear in person at this office, together with such witnesses as you might be able to procure, for the purpose of testifying relative to your right as such freedman.

You are again advised that such request must be complied with before disposition may be made of your application for enrollment as a Choctaw Freedman.

This matter should receive your prompt attention.

Respectfully,

Geo D Rodgers
Acting Commissioner.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

FILED
DEC 13 1905

Commissioner.

12-D-156

UNCLAIMED

Rosa Davis, (Colored),
Care of Postmaster,
WRITER
Caddo, Indian Territory.

MUSKOGEE, I.T.
JAN 31 1905
CADDO, I.T.
JAN 31 1905
REC'D

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Oberlin, Indian Territory, February 6, 1907.

In the matter of the application for the enrollment of Rosa Davis as a freedman of the Choctaw Nation.

Cealy Powells, being first duly sworn and examined, testifies as follows:

ON BEHALF OF THE COMMISSIONER:

Q What is your name? Cealy Powells.
Q How old are you? A Some where about sixty or seventy.
Q What is your postoffice address? A Oberlin, I.T.
Q What is the name of your father? A Ben Wilson.
Q What is the name of your mother? A Chaney Jolly.
Q Did you ever have a sister by the name of Rosa? A Yes, sir, Rosa Jolly before she married, and she married Bill Davis.
Q Was your father and mother the parents of Rosa? A We had the same mother, but I had a different father. My father's name is Ben Wilson.
Q What is the name of the father of Rosa? A Anderson Jolly.
Q Was Rosa Jolly or Davis ever a slave? A No, sir, she was born since freedom.
Q Did Rosa live at Caddo, I. T? A Yes, sir.
Q Is Rosa Davis now living? A No, sir, she is dead.
Q About how long has she been dead? A About fifteen years, I reckon.
Q Rosa Davis then has been dead bout fifteen years, you think? A Yes, sir.
Q Were you ever a slave? A Yes, sir.
Q Who was your owner? A George Hawkins.
Q Was you ever owned by any body else? A Yes, sir, I belonged to Robert Jones when I was freed.
Q Do you know where Rosa Davis died? A Yes, sir, she died out here at Blue Branch.
Q Where is Blue Branch from here? A Near Bokchito.

(Witness excused)

I, Fay E. Blachert, upon oath, as stenographer to the Commissioner to the Five Civilized Tribes, state that I reported the proceedings in the above and foregoing cause, and that the same is a true and correct transcript of my stenographic notes taken therein.

Fay E. Blachert

Subscribed and sworn to before me this 7th day of February, 1907.

Richard Shansafett
Notary Public.

17-D-156.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Rosa Davis and her minor child as Choctaw freedmen.

-: D E C I S I O N :-

It appears from the record herein that on August 22, 1899, at Caddo, Indian Territory application was made to the Commission to the Five Civilized Tribes for the enrollment of Rosa Davis and her minor child, sixteen or seventeen years old, name not given as Choctaw freedmen.

This office has for the past four years through its field parties operating in the Choctaw and Chickasaw Nations and its land offices and by interviews at this office of residents of the Choctaw and Chickasaw Nations of extensive acquaintance in said nations made every effort to ascertain the whereabouts of the applicants, but no information has been obtained.

It is considered that the applicants are either dead or residing without the limits of the Indian Territory.

I am, therefore, of the opinion that the application for the enrollment of Rosa Davis and her minor child as Choctaw freedmen should be dismissed, and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

FEB 11 1907.

Choc FR D-157 Albert Falkom

FR D-157

Department of the Interior.
Commission to the Five Civilized Tribes.

Muskogee, Indian Territory August 1, 1908.

In the matter of the application of Albert Fulsom for enrollment ass Choctaw Freedman.

Albert Fulsom being first duly sworn test ified as follows:

Examination by the Commission:

Q What is your name? A Albert Fulsom.
Q How old are you? A I'm close to ninety years as near as I can come at it.
Q Where do you live? A I live in the Choctaw Nation there between Fort Smith and the nation.
Q Do you live in the Choctaw Nation? A In the Choctaw Nation
Q What's your post office address? A Fort Smith.
Q Where is that.
Q Fort Smith?
Q Yes. A Fort Smith is over in the state but I live over there in the Choctaw Nation.
Q Whereabouts in the Choctaw Nation do you live? A On Poteau there, just the other side of Poteau. Do you know where Poteau Bridge is? Old Campbell Keyler's place?
Q Do you actually live in the Choctaw Nation? A Yes sir; between the Choctaw Nation -- right on the line - right inside of the Choctaw Nation.
Q How long have you lived there? A All my life pretty near; first in the Choctaw and then in Fort Smith.
Q I asked how long you been living in the Choctaw Nation?
A I dont know how many years.
Q I would like to know how long; you say you live in the Choctaw Nation now? A Yes sir.
Q How long have you been living there? A I been living there all my life pretty well.
Q How long have you been living there? A All my life sir.
Q Never have lived anywhere else besides the Choctaw Nation?
A No sir; I worked other places but I lived in the Choctaw Nation.
Q How long did you ever work any other place? A Not ever two and three weeks at a time sir.
Q Where was you born? A I was born close to the line of Alabama and Mississippi - right on the line.
Q Who did you belong to? A I belonged to Mr. Peter Folsom.
Q When did you come from there to the Choctaw Nation? A I dont know sir how long its been but it was before the war.
Q Peter Fulsom lived in Mississippi or Alabama then? A Yes sir right on the line.
Q Did he bring you to the Choctaw Nation? A No sir I bought myself from him.
Q Did he bring you? A Yes sir.
Q Did you belong to him? A Yes sir I belonged to him; I was a slave to him.
Q What is a Choctaw Indian? A Choctaw Indian.
A A citizen of the Choctaw Nation? A Yes sir.
Q When did he die? A I dont know sir what year but it's been

so long I cant remember.
Q Do you know what your father's name is? A Phil Fulsom.
Q That was your father? A That was my father.
Q Is he living? A No sir.
Q What's your mother's name? A My mother was named Patsy Fulsom.
Q Is your mother living? A No sir
Q Was your mother a slave of a Choctaw Indian? A Slave - yes sir; she was a slave of the same man.
Q You and your father and mother all belonged to Peter Fulsom did you? A Yes sir.
Q Are you married? A Yes sir.
Q Is your wife a Choctaw freedman? A No sir
Q States woman? A Yes sir.
Q Have you any children A Yes sir.
Q Of age? A No sir; ~~minor~~ all of them.
Q Have you any minor children? A Yes sir.
Q How many ? A Two.
Q What's the name and age of the oldest child? A The oldest one's thirteen years old.
Q What's its name? A Carolina Fulsom.
Q What's the other one's name? A Betsey Fulsom.
Q How old? A She's fourteen years old.
Q She's older that Carolina? A Yes sir.
Q You are the father of both these children? A Yes sir.
Q Want to apply for them too? A Yes sir.

Q Who's the mother of these children? A Patsey Fulsom.
Q How long has Paty been dead? A She's been dead seven years.
Q She was a states woman ? A Yes sir; no sir; she belonged to Peter Fulsom.
Q Where was you living with then war broke out in '61? A I was down on Red River in the Choctaw Nation.
Q Who were you living with? A I was living with-- well I belonged to my self then; I was a carpenter; I was a free man
Q What do you mean by belonging to yourself? A I had bought myself from my old owners.
Q When? A Long before the war commenced.
Q Was you a slave the time of the war? A No sir.
Q Didn't belong to anybody? A Didn't belong to anybody at all.
Q Then you wasn't a slave of a Choctaw Indian at the time the war began ~~when~~ the war commenced I wasn't sir.
Q Did you belong to anybody? A I had bought myself.
Q I asked you if you belonged to anybody at the time the war began? A No sir.
Q Did you ever belong to anybody ~~before this time~~ No sir.
Q When was you held in slavery? A I was held in slavery three years before the war commenced.
Q Never have belonged to anybody since then? A No sir.
Q Always lived in the Choctaw Nation? A Yes sir.
Q Been free to go where you wanted to and do what you wanted to ? A Yes sir.
Q Where was you at the time the war was over? A In Red River County in the Choctaw Nation.
Q What were you doing down there? A Carpentering/
Q Who did Patsey Fulsom your wife belong to? A She belonged to the same man.
Q Was she a free woman? A No sir my wife was a slave.
Q Where was your wife at the time the war began? A When the war began she was staying on Red River with me; she had an uncle there.
Q Who did she belong to? A One of the Fulsoms, sir.

Q Which one? A Old Peter Fulsom's brother.
Q Where was she when the war was over? A She was there but came away from there since then.
Q Do you remember the treaty of Fort Smith? A Yes sir.
Q Where was you living then? A Over in the Choctaw Nation.
Q Was your wife living with you? A Yes sir.
Q What do you want these witnesses to prove? A The same that I did; they know me; been knowing me all my life time.

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George Van, a witness being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Van.
Q What's your full name? A George Van.
Q How old are you? A Will be eighty-eight the 27th day of December.
Q Where do you live? A I live in Sequoyah District on the line of the Choctaw Nation where Poteau runs, between the Cherokee Nation and the Choctaw
Q You live in the Cherokee Nation? A Yes sir.
Q Always lived in the Cherokee Nation
A Yes sir most of the time; some times in the Choctaw.
Q You are a Cherokee freedman? A Yes sir
Q Do you know this man Albert Fulsom? A Yes sir.
Q What do you know about him? A I know he belonged to Fulsom.
Q What Fulsom? A Peter
Q Where did you know him? A Here and in the old country.
Q What old country? A In the old Choctaw nation.
Q Where? A On the line of Tennessee and Alabama and Mississippi
Q Where was you born? A Born right on the line of Mississippi and Tennessee - came here in '56.
Q When did you see Peter Fulsom after you left there? A Down on Red River.
A When? A Not many years.
Q When did you first see him after you came to the Nation?
A I dont know the first day I saw him.
Q About when was it? A About in '66 or a lit'le after; came here a little after we did.
Q Did you belong to a Cherokee Indian? A I did sir.
Q Where was it you saw Peter Fulsom? A I saw him between Skullyville and Fanna.
Q Where did you next see him after that? A W, I seen him nearly every two or three; he came down about there with the Indians and with his brethern.
Q When did you next see him after that? A How could I tell you that time I may know, you know I cant give the day.
Q [illegible] all this time? A Part of the time [illegible] the time Fulsom [illegible]
Q [illegible] part of the time young. Fulsom married his wife [illegible] married his negro woman [illegible]
Q [illegible] A We lived right [illegible] along the line of river
A [illegible] A [illegible]

Q A Cherokee Indian? A Yes sir.
Q You know this man Albert Fulsom then? A Yes sir.
Q Who did he belong to? A He belonged to--he bought himself - he's a carpenter or something; I dont know; he said he was buying himself- carpenter but I dont Know.
Q Who did he belong to before he came there? A Well he had belonged to Peter Fulsom.
Q Didn't belong to anybody when the war began? A Dodent know that because several years he was working---
Q Do you know his wife? A I know her but dont know anything about her.
Q What was his wife's name? A Seems that they called her Mary and her Choctaw name they called her Madeel.
Q How well did you know these people ? A Didn't I just tell you I married his negro girl named Narciss.
Q Whose negro girl? A Fulsom's.
Q How well did you know Albert Fulsom during the war? A He was working there part of the time - through there; I cant keep in my mind; saw him three or four time - working there on Red River and Skullyville.
Q This man Albert Fulsom didn't belong to Peter Fulsom when you knew him? A I dont know; I heard him say but I dont know; I dont know whether he did or not.

---0---

Anderson Tatum a witness being first duly sworn testified as follows:

Examination by the Commission.

Q What's your name? A A. Tatum.
Q What's your full name? A Anderson.
Q How old are you? A I will be fifty seven the 28th day of December.
Q What's your post office address? A Bunge, Sequoyah District
Q How long have you lived in the Cherokee Nation? A Off and on about thirty some odd years.
Q Lived there ever since the war? A No sir not exactly ever since but I been through there back and forwards ever since before the war
Q Were you a slave of a Cherokee Indian? A No sir.
Q You are not a freedman? A No sir.
Q Were you ever a slave? A Yes sir.
Q Who did you belong to? A Aldrich part of the time and Johnson.
Q White people? A Yes sir.
Q Do you know this man Albert Fulsom? A Yes sir.
Q What do you know about him?? A I just know he's a colored man; claims to be a Fulsom; always been said to be a Fulsom ever since I know him.
Q Do you know anything about him belonging to a Choctaw Indian? A No sir I dont know whether he ever belonged to them.
Q Did you ever know Peter Fulsom? A Peter Fulsom; I've saw him.
Q Did you ever actually know him. A Only when I seen him.
Q Do you know whether this man Albert Fulsom belonged to him? A Who he was I dont know only what I've heard.

[illegible]

—o—

Q You don't know personally [illegible] A What I've learned; that's all.

Q Do you know this man's wife? A No sir I know some of his children.

—o—

Albert Fullam Wing recalled testified as follows:

Examined by the Commission.

Q Albert did any of your children ever apply to be enrolled? A No sir never did.

—o—

Clara Mitchell [illegible] being duly sworn, [illegible] with stating that [illegible] the above entitled cause, [illegible] that the above and foregoing is a full true and correct transcript of her stenographic notes of said proceedings [illegible] so said [illegible].

Clara Mitchell

Subscribed and sworn to before me this 7th day of August 1908.

Guy L. T. Emerson

Notary Public.

17-D-157

Muskogee, Indian Territory, November 28, 1905.

Albert Fulson,

Fort Smith, Arkansas.

Dear Sir:-

In the matter of the application for the enrollment of yourself and two children, Betsey and Carolina Fulson as Cherokee freedmen, it will be necessary for you to appear before this office at Muskogee, Indian Territory, and produce such witnesses as you may be able to produce, to testify relative, especially, as to whether the mother of said Betsey and Carolina Fulson was a Cherokee freedman.

Such evidence is especially applicable to the rights of your two children, Betsey and Carolina Fulson.

You may, if you so desire, also introduce such further evidence as you may have relative to your enrollment.

This matter should receive your immediate attention, as nothing further can be done in the matter of the enrollment of your [illegible] Respectfully,

Acting Commissioner.

Muskogee, Indian Territory, August 19, 1904.

Albert Nelson,

Ft. Smith, Arkansas.

Dear Sir:-

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

If you so desire, you may appear before the Commission at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to your rights and the rights of your children as freedman of the Choctaw Nation, or you may appear for this purpose at the general office of the Commission, Muskogee, Indian Territory at any time.

Respectfully,

Chairman.

17-D-157
O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Albert Fulsom, et al., as Choctaw freedmen.

D E C I S I O N .

It appears from the record herein that on August 1, 1902, application was made to the Commission to the Five Civilized Tribes for the enrollment of Albert Fulsom and his two minor children Betsey Fulsom and Caroline Fulsom as Choctaw freedmen.

It further appears from the record herein that the applicants Betsey Fulsom and Caroline Fulsom were born in about the years 1866 and 1869, respectively, and are the children of Fatney Fulsom, enrolled, an alleged Choctaw freedman, and the principal applicant, Albert Fulsom, whom the record herein shows was not the slave of a Choctaw Indian at the beginning and close of the War of the Rebellion.

Although ample opportunity has been afforded said applicants to show by satisfactory evidence that Fatney Fulsom, the mother of the minor applicants herein, was a Choctaw freedman they have failed to do so.

I am of the opinion that the application for the enrollment of Albert Fulsom as a Choctaw freedman, should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

I am further of the opinion that following the ruling of the Department in the cases of Eliza J. Bryant, et al. (I.T.D. 544-1904), William Hooker (I.T.D. 1468-1904), Minnie Duncan, et al. (I.T.D. 1470-1904), Samantha Chambers (I.T.D. 2296-1904), Ed Williams (I.T.D. 4225-1904), Moses Rose (I.T.D. [illegible]-1904) and Florence Bratcher (I.T.D. 1269[illegible]-1904), the application for the enrollment of Betsey Fulsom and Caroline Fulsom as Choctaw freedmen, should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

FEB 13 1907

12-Ex167.

COPY

Muskogee, Indian Territory, February 18, 1907.

Albert Pulsom,

Fort Smith, Arkansas.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner of the Five Civilized Tribes, rendered February 13, 1907, denying the application for yourself and the enrollment of your two children, Betsey Pulsom and Caroline Pulsom, as Freedmen.

The decision, with the record of proceedings in the case, on this day was submitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered
Rec. 17-2-167.

17-D-15[illegible]

COPY

Keewatin Indian Territory, February 13, 1907.

Bonfield, Bagshaw & [illegible],

Attorneys for Chemical [illegible] Indians,

North Bakkator, [illegible] Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commissioner of the Fire Hundred [illegible] rendered February 12, 1907, denying the applications for the establishment of Short [illegible] Ferry Point and [illegible] Point as [illegible] Ferries.

The business with the [illegible] of Precedence in the [illegible] is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be [illegible] as soon as this office is informed of the same.

Respectfully,

SIGNED Jesse Bishop

Commissioner.

Encl. 1-2-107.

COPY

Muskogee, Indian Territory, February 13, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the applications for the enrollment of Alecka Robinson, Sydney Fulton and Caroline Walker as freedmen of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated February 12, 1907, denying said application.

Respectfully,

SIGNED Tams Bixby

Commissioner.

2 Incl. 17-R.187.

Through the
Commissioner of Indian Affairs.

DEPARTMENT OF THE INTERIOR, S.P.

WASHINGTON.

D.C. [illegible]1907.
I.T.D. [illegible] March 2, 1907.

LRS

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship [illegible] to [illegible] applicants [illegible]

Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are inclosed:

Title of Case.		Date of your letter of transmittal.
John [illegible], et al.		June 19, 1906.
[illegible]		December 20, 1906.
[illegible]		February 14, 1907.
[illegible] et al.		February 14, 1907.
[illegible] Mahardy,		[illegible] 14, 1907.
[illegible]		[illegible] 14, 1907.
[illegible]		[illegible] 14, 1907.
[illegible] et al.		February 14, 1907.
[illegible]		February 14, 1907.
[illegible]		[illegible] 11, 1907.
[illegible]		[illegible] 7, 1907.

Title of Case.		Date of your letter of transmittal.
[illegible], et al.	(Freedman)	February 11,1907.
[illegible], et al.	(Freedman)	February 11,1907.
[illegible], et al.	(Freedman)	February 11,1907.
[illegible], et al.	(Miss. Case.)	February 11,1907.
[illegible], et al.	(Miss. Case.)	February 11,1907.
[illegible]	(Freedman)	February 6,1907.
[illegible]	(Miss. Case.)	February 11,1907.
[illegible] et al.	(Miss. Case.)	February 11,1907.
[illegible],	(Freedman)	February 11,1907.
[illegible], et al.	(Freedman)	February 11,1907.
[illegible]		February 11,1907.
[illegible] J. Sharp, et al.		December 22,1906.
Bill Daniels, et al.	(Freedman)	February 11,1907.
[illegible], et al.		February 11,1907.
[illegible], et al.	(Miss. Case.)	February 11,1907.
[illegible]		February 11,1907.
[illegible]	(Miss. Case.)	February 11,1907.
[illegible] Roberts,	(Miss. Case)	February 11,1907.

[illegible] copy of my report in the above entitled cases have been sent to the Indian Office.

Respectfully,

John R. Wilson,

Indian Inspector.

[illegible]

[illegible] OF THE NATION,

OFFICE OF INDIAN AFFAIRS,

[illegible]

WASHINGTON, February [illegible], 1907.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to invite your attention to the enclosed report of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Albert Pulsom and his two minor children, Betsey and Carolina Pulsom, as Choctaw freedmen.

The Commissioner reports that on August 1, 1902, application was made to the Commissioner to the Five Civilized Tribes for the enrollment of these applicants and although ample opportunity has been afforded them to show by satisfactory evidence that Betsey Pulsom, the mother of the minor applicants, was a Choctaw freedman, they have failed to do so, and on February 13, 1907, he rejected them.

It is shown by the record that the Commissioner had [illegible] evidence before him to prove that one of the applicants [illegible] in the Choctaw Nation, and [illegible] the opportunity accorded them, [illegible] the decision of the Commissioner [illegible]

17-D-1[illegible]

Muskogee, Indian Territory, April 4, 1907.

Albert Fulson,

Fort Smith, Arkansas.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of this office of February 13, 1907, denying the application for your enrollment and for the enrollment of your children, Betsey Fulson and Caroline Fulson as Choctaw Freedmen.

Respectfully,

Geo. D. Rodgers,

Acting Commissioner.

17-B-157

Muskogee, Indian Territory, April 4, 1907.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 8, 1907, the Secretary of the Interior affirmed the decision of this office of February 13, 1907, denying the application for the enrollment of Albert Fulsom, Betsey Fulsom and Carolina Fulsom as Choctaw freedmen.

Respectfully,

Geo. D. Rodgers.

Acting Commissioner.

12432

DEPARTMENT OF THE INTERIOR
RECEIVED
FEB 28 1907
Enc. No. 1 of No. 5888
INDIAN TRADE DIVISION

COPY.

REFER IN REPLY TO THE FOLLOWING:
Land.
15979 - 1907.DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

February 27, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to invite your attention to the enclosed record of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Albert Fulsom and his two minor children, Betsey and Carolina Fulsom, as Choctaw freedmen.

The Commissioner reports that on August 1, 1902, application was made to the Commissioner to the Five Civilized Tribes for the enrollment of these parties and although ample opportunity has been afforded them to show by satisfactory evidence that Betsey Fulsom, the mother of the minor applicants, was a Choctaw freedman, they have failed to do so, and on February 13, 1907, he rejected them.

It is shown by the record that the Commissioner had no evidence before him to prove that any of the applicants had a tribal status in the Choctaw Nation, and having failed to take advantage of the opportunities accorded them, it is recommended that the decision of the Commissioner be approved.

Very respectfully,

C. F. Larrabee

Acting Commissioner.

WHE-T

12432

Choc. F. D. 157

DEPARTMENT OF THE INTERIOR
RECEIVED
FEB 28 1907
Enc. No. 1 of No. 5784
INDIAN TERRITORY DIVISION

-Copy-

REFER IN REPLY TO THE FOLLOWING:
Land.
18492-1907

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON. February 27, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby, dated February 11, 1907, transmitting the record relative to the application made on July 26, 1906, for enrollment of Ruth Green as a Choctaw freedman. On February 11, 1907, the Commissioner held that the applicant was not entitled to enrollment.

It does not appear from the record and Commissioner Bixby Bixby says that the records of his Office do not show that any application for the enrollment of the applicant was made prior to July 26, 1906, and it is therefore recommended that the decision of the Commissioner adverse to the applicant be approved.

Very respectfully,

C. F. Larrabee,
Acting Commissioner.

J.P.B. - ML

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

23447

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Albert Fulson,

Fort Smith, Arkansas.

4276

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(1) 2/18

FEB 25 1907

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REFER IN REPLY TO THE FOLLOWING:

17-B-157.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 13, 1907.

Albert Fulsom,

Fort Smith, Arkansas.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 13, 1907, denying the application for yourself and the enrollment of your two children, Betsey Fulsom and Carolina Fulsom, as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered
Incl. 17-B-157.

Robert Folsom Sr.

EFUSED. FEB 13 1907

PY OF DECISION FORWARDED
APPLICANT FEB 13 1907

COPY OF DECISION FORWARDED
ATTORNEY FOR CHOCTAW AND
CHICKASAW NATIONS. FEB 13 1907

RECORD FORWARDED DEPARTMENT.
FEB 13 1907

ACTION APPROVED BY
SECRETARY OF INTERIOR. MAR 2 - 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. APR 4 - 1907

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT. APR 4 - 1907

FR 0-158

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. August 22, 1902.

In the matter of the application for the enrollment of Lewis, Dollie, Mary, Arthur, Henry and Walter Ward, minor children of Abe Ward, deceased, as Choctaw Freedmen,

Annie Ward being duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Annie Ward.
Q How old are you, Annie? A I don't know just exactly how old I is.
Q About how old? A Something about forty five.
Q What is your post office address? A Nelson, Indian Territory.
Q What nation? A -
Q Choctaw or Chickasaw Nation? A In the Chickasaw nation; no, Choctaw nation.
Q How long have you lived in the Choctaw nation? A Ever since I was nothing but a kid.
Q Where were you born? A Cherokee County, I mean Cherokee Nation.
Q Were you a slave? A No sir; I don't know nothing about slaves; my mother was.
Q Whom did she belong to? A To these Lauries.
Q Cherokees? A Yes sir.
Q For what purpose do you appear before the Commission at this time?
A I just come here to enroll my children.
Q What makes you think your children are entitled to enrollment?
A Well, cause I thought they had a right to their land.
Q Through whom? A From their father.
Q Was he a Choctaw freedman? A Yes sir.
Q You appear here at this time then for the purpose of making application for the enrollment of certain minor children whose father was a Choctaw Freedman? A Yes sir.
Q What are the names and ages of these children? A Lewis, seventeen? A Yes sir.
Q Dollie, fifteen? A Yes sir.
Q Mary, thirteen? A Yes sir.
Q Arthur? Four? A Yes sir.
Q Then Henry? A Yes sir.
Q How old is Henry? Eight? A Yes sir.
Q Walter, nine? A Yes sir.
Q Is that right now? A Yes sir.
Q Lewis is a boy? A Yes sir.
Q Dollie and Mary girls? A Yes sir.
Q The other three are boys? A Yes sir.
Q What is the name of the father of these children? A Abe.
Q Abe what? A Abe Ward.
Q When did he die? A Just a little before the Dawes Commission was down at the registering. I can't read and I can't tell the other months it was but he died in July.
Q About how many years ago? A Three or four years ago.
Q About how old were you when he died? A I don't know; he was grown
Q Was he older than you? A Yes, heap older'n I.

Q Where was he born? A I don't know that; but he was born right close to where I am living now.
Q Did he live in the Choctaw Nation all his life? A Yes sir, never left the Choctaw Nation.
Q How do you know? A That's what he told me. Just went around helping people to work.
Q Had he always had the Choctaw Nation for a home? A Yes sir.
Q When did he belong to? A Eben Ward.
Q Who was Eben Ward? A He was Choctaw.
Q Choctaw Indian? A Yes sir.
Q Is he living? A I don't think he is; I think he is dead years ago.
Q When did Eben die? A I don't know.
Q How old would he be if living now? A I don't know; I just knowed he was Abe's owner; Abe told me.
Q Do you know whether Eben was full blood Choctaw? A Yes there was-there is an old man setting there can tell you. He is a witness.
Q You were married to Abe? A Yes sir--I tell you mister they didn't hardly have no rules there--
Q When were you married to him? A Its about twenty five or forty years since I was married to him.
Q How old were you when you commenced living with him? A Well, I was just a little over sixteen years old.
Q Did you live together continuously as husband and wife from the time you were sixteen years of age until his death? A I did, but he went back and left me and came back and lived with me until he died.
Q When did he leave you? A I don't know; still always was his wife, stayed there with my children; of course a man can go away and come back.
Q How long did he stay away from you? A I don't know how long; about three or four years any way.
Q Was it after your last child was born that he left you or before that? A It was before, after he came back to me I have got three smaller children since he has come back.
Q Well, now when he left you, Mary was your youngest child? A Yes sir
Q You say he stayed away five or six years and yet Arthur is only three years younger-- A Well, you see I have the times mixed up and I didn't keep no count.
Q Are you willing to swear positively that each one of these children is the child of yourself and this man Abe Ward? A Yes sir.
Q Did you have any other husband from the time you were sixteen until his death? A Yes sir.
Q Did he have any other wife? A I don't know.
Q Did you ever hear he did? A Yes, I heard so.
Q What was her name? A Jane.
Q And what? A I don't know what other name.
Q What was she a freedman? A Yes sir.
Q Where does she live? A In Atoka, I hear.
Q Did he have any children by Jane? A I don't know, I have never heard of it.
Q Is she living now? A I don't know; I haven't heard; I am away from that country.
Q Do you know how long she lived with her? A No sir.
Q Do you know whether they were married under a license? A No sir.
Q Were you ever married before you married Abe? A No sir; he was my first husband.
Q Was he ever married before he married you? A No sir.
Q Have you a daughter by the name of Mandy? A Yes sir.
Q Is she older than these other children? A Yes sir, she is married.
Q Where does she live? A In Durington.

Q Has she any children? A Yes sir; three.
Q What are their names? A Lena; I don't know their names good;she has two that I seen since I come here;Rufus and Lena is all I r emember she has two twins.
Q What is her husband's name? A Virgil Manning or Brinsee Manning.
Q Did Abe ever belong to any other man than the fellow Abe-- or Abe Ward? A No sir, not as I know of.
Q Are you sure that Abe lived in the Choctaw Nation all his life? A Yes, I never heard of anything else; I never seen himanywhere except in the Territory.
Q Where did Abe live during the Civil War? A In the Choctaw Nation, I guess.
Q Do you know? A No sir, I don't know.
Q Do you know where he was for a period of five years after the close of the Civil War? A No sir; I can't swear; I think he was in the nation; his mother was saying that; I can't swear.

Reference is hereby made to the Choctaw Freedman card No.1087 Wandy Manning; the principal applicant in said case being a full sister of the applicants in this case.

Here applicant is excused, and Henry Chalk being called and sworn as a witness in this case, testified as follows:

Q What is your name? A Henry Chalk.
Q How old are you, Henry? A I can't tell you.
Q About how old are you? A Some says I am sixty new but they is just making a rough guess.
Q How old a man were you when the Civil War began? A Well, when the war bust out I was eighteen; the record got lost.
Q What is your post office address? A Muskogee?
Q Where did you live before you come here? A On Blue-- Choctaw Nation; was born and raised there; born right on Kiamichi; was raised there.
Q Are you a Choctaw Freedman? A Yes sir.
Q You lived down there in the Nation during the Civil War? A Right a little off from Kiamichi- right at Goodland.
Q Did you live there after the War? A I stayed there six years with my old mistress.
Q Are you acquainted with Annie Ward? A +
Q Who has just appeared before the Commission this morning? A I am fully acquainted with her husband.
Q Are you acquainted with her? A Not much.
Q Did you ever see her before today? A Yes sir.
Q What was her husband's name? A Abe Ward.
Q How do you know he was? A Cause I knowed him; I saw him right afte they was married and that was fall plowing.
Q When did Abe Ward die? A I don't know.
Q When was the last time you saw him? A Down, ten or twelve years.
Q Was he older or younger than you? A Younger.
Q How many years? A I can't tell you; I know I was the oldest.
Q When did you first become acquainted with him? A Our owners lived about six miles apart.
Q Wel,tell us how much older than you. A I can, cause I didn't keep any account of the years.

Q When you were a grown man, how old was Abe? A Grown after the Surrender Abe was a young lad then behind me and all his people-
Q Did he live in the Choctaw Nation all his life? A Yes sir.
Q Was he there during the Civil War? A Yes sir.
Q How far were you from him then? A Well, his pa- his Boss' place was six miles from me.
Q Where did he live for a period of five years after the War closed? A Up there above Belick, Beaver Dam.
Q In the Choctaw Nation? A Yes sir
Q Did he live there continuously for a period of five years after the Surrender? A Well, he was there in that neighborhood all the time.
Q How often would you see him about that time? A Most every two weeks; and many times later on we would have and meet at them ball plays.
Q Was he a Choctaw Freedman? A Yes sir.
Q Whom did he belong to? A His first owner was old Eben Ward.
Q Was Eben Ward a Choctaw Indian? A Yes sir.
Q How much Choctaw blood did he have? A They called him pretty near full blood; but he had a little white in him; he was fair skinned.
Q When did he die? A Just before the War broke out, and he had a son named Eben and then they called him young Eben, and Radock Harris was a guardian for this boy Eben till he come of age.
Q Did he ever belong to anybody else than the Ward family? A Not as I knows of.
Q You are sure he was recognized citizen of the Choctaw tribe of Indians are you? A Yes sir.
Q Where did this man Abe live immediately after he was set free? A he didn't take up any residence; he just had to hire out.
Q Where did he go to stay? A Out in the neighborhood there, working for one man and another.
Q For how many years did he stay in that neighborhood? A Well I stayed down there six years and moved up on Blue and left them there.
Q Well, during that six years he lived in that neighborhood all that time? A Yes, died there.
Q How do you know anything about his being married to this woman, Annie, who claimed to be his wife? A I don't know anything about that. I seen them together.
Q Did they have any children that you know of? A The last time I saw them they had two children, but I can't swear anything about them being their children; but they was small then.
Q How long ago was that? A About fourteen years ago.
Q Do you know the names of those two children? A No sir.
Q Did Abe have any other wife? A I don't know whether he lived up with her or not; he had a wife down at Ateka.
Q Did he marry her? A I don't know.
Q How long did he live with her? A I don't know.
Q What is her name? A Jane.
Q Jane what? A I can't tell you; she used to belong to Flint; her husband's name was Flint.
Q Did Abe have any children by this woman? A Not as I knows of.
Q She lives down there now, don't she? A Yes she was up here on a visit.
Q She is a Choctaw Freedman? A Yes sir.
Q What is her husband's name? A Flint; but she belonged to his wife.
Q Did Abe ever have any other wife than this one? A Not as I know sir.
Q When did he go to live with Jane? It was after he began to live with this woman, Annie? A Yes; it was after that; I seen him with her up there; I didn't ask him no questions at all.

witness excused and Isral Colbert called as a witness and being duly sworn testified as follows:

Q What is your name? A Isral Colbert.
Q How old are you? A About thirty seven years old.
Q What is your post office address? A Nelson, Kiamichi County, Choctaw Nation.
Q How long have you lived in the Choctaw Nation? A Ever since I was born.
Q You are a Choctaw freedman are you? A Yes sir.
Q Are you acquainted with Annie Ward? Who has just appeared before the Commission? A Yes sir.
Q Did you know her husband? A Yes sir.
Q What was his name? A Abe Ward, that's what the folks call him.
Q Was he a Choctaw freedman? A He was a Choctaw or Chickasaw one of the two; Choctaw I think.
Q When did you first become acquainted with him? A When he was a little boy about that high; soon after the darkies were set free; we was little boys and got acquainted then.
Q Do you know where he lived during the Civil War? A He lived right there where I lives and in the County called Atoka County.
Q How long after the Surrender when you first met him? A Right the same year I guess; after we got growed up together we got together.
Q Did you ever hear of his having lived anywhere except the Choctaw Nation? A No sir.
Q How long was he ever away from there at one time? A After he got growed he was away from there about 6 or 7 years; he went to Atoka County. After he got growed he got this woman.
Q Did you know who his owner was? A They say his owner was Eben Ward.
Q Who says? A Like the neighborhood would say.
Q You don't know that of your own knowledge? A No sir, I was quite a young boy.
Q Are you any relation to this hay woman? A None at all.
Q Have you any interest in the result of their claim? A No sir, only I would like to see them get their claim; you see there is nobody with them but me.
Q You have no financial interest in this claim? A No sir.
Q What do you know about her marriage to this man Ward? A I don't know only that they said.
Q How long since you got acquainted with them that they married? A Only when they went off to Atoka County; he left her and came back and has lived with them till he died.
Q How long were they separated? A I don't know; I noticed that they raised more children there and until he died.
Q Are all six of these children whose names she gave today the children of herself and Abe Ward? A Yes sir; she had one child between times that I knows of.
Q Did she have any other husband in that time? A No sir.
Q Did Abe have any other wife? A They said he had; he come back from Atoka and took Annie back.
Q What is the name of that other wife? A They called her Jane Ward.
Q Where does she live? A In Atoka.
Q Is she a Choctaw freedman? A They say so.
Q Did she have any children by Abe? A I don't think they had because I visited Atoka too.
Q Are these six children for whom she makes application living there now? A Yes sir; her mother was a Cherokee freedman.

Q Did Annie ever live in the Cherokee nation? A Never did.
Q Never has been enrolled as a Cherokee Freedman? A I don't belive she has; she came back and was to go again and she said they was neti fied was never enrolled.
Q That's all.

Witness excused, and applicant recalled di

Q Are you ever been enrolled as a Cherokee Freedman? A No sir.
Q Are you ever appeared before this Commission before today for the purpose of making application of any kind for yourself and these children? A No sir; not for these younger children; but them two eldest ones was adopted on the first Choctaw rolls.Q
Q What two eldest ones? A One is dead and the other is yandy.
Q Well, I am talking about the Dawes Commission; you never made any application of any kind for yourself and these children before today? A No sir, cause the time I was telling you I was helpless under the doctor.
Q Is your name on any of the Cherokee Freedman rolls? A No sir.
Q You never have tried to establish your rights as a Cherokee Freedman? A No sir.
Q No application has been made for your children for the purpose of establishing their rights as Cherokee Freedmen? A No sir.
Q Well, the names of these children of yours are not found on any of the Choctaw Freedman rolls; how do y ou account for that? How does it happen that their names are not on the Choctaw Freedmen rolls? A Well, they never was put on.
Q I mean the Freedman rolls prepared by the Choctaw Indians; they made a roll in 198; how does that happen? A Well, you see there was nobody there to see to it and I was not able to see to it.
Q Now, you speak about your two children being put upon some roll what roll was that? A Well, the first roll that was made; I don't know what you call it myself.
Q How long ago was that? A I don't know; pa had them put on.
Q That was before any of these six children for whom you apply were born? A Yes, many years ago.

Applicant excused and Henry Chalk recalled:

Q Are you interested in any way in the result of the applicati on which Annie Ward makes in behalf of her six minor children? A No sir not a bit.
Q Are you any relation to her or any of these minor children? A No sir, not a bit.

~~Witness excused and applicant recalled.~~

Henry G. Haines being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he r eported in full the proceedings had in the above entitled cause on August 22, 1902, and that this is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Haines

Subscribed and sworn to before me this 26 day of August, 1902.

Bruce C Jones
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Antlers, Ind. Ter., December 4th, 1902.

Original
Choctaw
Freedman.

In the matter of the original application of Ida Guest for the enrollment of herself and her minor child, Peter Ward, as freedmen of the Choctaw Nation.

Ida Guest, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

Q What is your name? A Ida Guest.
Q How old are you? A Eighteen.
Q What is your post office address? A Hampden, Indian Territory.
Q What is the name of your father? A Abe Ward.
Q Is he living or dead? A He is dead.
Q What is the name of your mother? A Annie Ward.
Q Is she living or dead? A She is living.
Q Was your father a Choctaw Freedman? A Yes sir.
Q Who was his owner? A I don't know.
Q Was your mother a Choctaw freedman? A No sir, Cherokee Freedman.
Q Where were you born? A I was born in the Choctaw Nation.
Q At what place, do you know? A In Kiamitia County.
Q Have you always lived in the Choctaw Nation? A Yes sir.
Q Never have been out of the Choctaw Nation to make your home any where else? A No sir.
Q Are you married? A Yes sir.
Q What is the name of your husband? A Charley Guest
Q Is he a freedman? A Yes sir.
Q Have you any children? A Yes sir, two are enrolled.
Q What are the names of your children who are enrolled? A Ikey and Isaac.

(The names of Charley Guest and two children named, who are found as Choctaw Freed Man Card, Field No. [illegible], and it appears from the records therein that Ida Guest, mother of above named children (the applicant herein) claims to be a Choctaw freedman)

Q Were you ever married before you married Charley Guest? A No sir.
Q Have you any other children? A One.
Q What is the name of that child? A Peter Ward.
Q How old is Peter? A Three years old.
Q Do you know the name of the father of your child? A Dave Hilly.
Q Was he a Choctaw freedman? A No sir, he is a white man.
Q Was he with you at the time the child was born? A He [illegible].

Ida Grant, et al,---- 3.

Q. Did you ever make application for enrollment as a Choctaw Freedman before this time? A. No sir.

Q. Did any of your people ever made application for enrollment as Choctaw Freedman? A. Yes sir, my mother, Annie Ward?

Annie Ward, the mother of the applicant, appears upon the records of the Commission on Choctaw Freedman Card, D-158.

----oOo----

Harry C. Riggs, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported the foregoing all proceedings had in the above entitled cause on the 30th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings for said date.

Harry C. Riggs

Subscribed and sworn to before me this 30 day of December, 1902.

J. C. Humphrey
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Antlers, Ind. Ter., December 4th, 1902.

Original
Chester
Freedman.

In the matter of the original application of Ida Guest for the enrollment of her child and her minor child, Peter Ward, as freedmen of the Chester Nation.

Ida Guest, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

Q What is your name? A Ida Guest.
Q How old are you? A Eighteen.
Q What is your post office address? A Kingston, Indian Territory.
Q What is the name of your father? A Abe Ward.
Q Is he living or dead? A He is dead.
Q What is the name of your mother? A Annie Ward.
Q Is she living or dead? A She is living.
Q Was your father a Chester Freedman? A Yes sir.
Q What was his other? A I don't know.
Q Was your mother a Chester freedman? A No sir, she was Freedman.
Q Where were you born? A I was born in the Chester Nation.
Q In what place, do you know? A In Bryan County.
Q Have you always lived in the Chester Nation? A Yes sir.
Q Never have been out of the Chester Nation to make your home any where else? A No sir.
Q Are you married? A Yes sir.
Q What is the name of your husband? A Charley Guest
Q Is he a Freedman? A Yes sir.
Q Have you any children? A Yes sir, two are enrolled.
Q What are the names of your children who are enrolled? A Ikey and Isaac.

(The names of Charley Guest [illegible]

[illegible]

Q Were you married before you married Charley Guest? A No sir.
Q Have you any other children? A [illegible]
Q What is the name of this child? A Peter Ward.
Q How old is Peter? A [illegible]
Q Do you know the name of the father of this child? A Tom Mill-

[illegible]

The Examiner at Law,---- Q.

Q. Did you ever make application for enrollment as a Cherokee Freedman, [illegible]? A. No sir.
Q. Did any of your people ever make application for enrollment as Cherokee Freedmen? A. Yes sir, my mother, Annie Ward?

[illegible] the Dawes Commission on Cherokee Freedmen Card, D-158.

---oOo---

Harry S Bishop, being duly sworn, upon his oath states: That he is stenographer in the Dawes Commission to the Five Civilized Tribes [illegible] and is the above entitled cause [illegible] and that the foregoing and [illegible] is a true and correct transcript of his stenographic notes [illegible] said date.

Harry Bishop

Subscribed and sworn to before me this 30 day of December, 1908.

[illegible]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
ATOKA, INDIAN TERRITORY,
September 7, 1904.

17-2-208.

In the matter of the enrollment of Ida Guest as a Choctaw Freedman.

Charley Guest, being first duly sworn, testified as follows:

Q. What is your name? A. Charley Guest.
Q. You are the second husband of Ida Guest? A. No, sir, the first one.
Q. What do you know about this case? What is your name? A. Charley Guest.
Q. What relation are you to Ida Guest? A. Her husband.
Q. Have you any children? A. By her? Yes, sir.
Q. Their names? A. Ennes and Ike.

(Witness is identified on Choctaw Freedmen card files, also the children, Ennes and Ike.)

Q. Has she a child called Peter? A. Yes, sir, Peter Ward.
Q. Where is that child living? A. With me.
Q. Where do you live? A. Near Hugo.
Q. Peter Ward is Ida Guest's child? A. Yes, sir.
Q. And he is living with you? A. Yes, sir.
Q. Who is Ida Guest's mother? A. Ann Ward.
Q. Where is Ann Ward? A. Right here.

Witness excused.

Elsie E. Ashton, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she correctly reported the proceedings above and this is a full, true and correct transcript of her stenographic notes.

Elsie E. Ashton.

Subscribed and sworn to before me this 30 day of September, 1904.

J. Campbell
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
CHOCTAW LAND OFFICE.

---:---

Atoka, Indian Territory, December 20, 1905.

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In the matter of the application for enrollment as freedmen of the Choctaw Nation of Lewis, Dollie, Mary, Arthur, Henry and Walter Ward, Choctaw Freedmen, Card D-158.

ANNIE WARD, being first duly sworn, testifies as follows:

EXAMINATION BY THE COMMISSIONER.

Q. What is your name ?
A. Annie Ward.
Q. What is your post office address ?
A. Nelson.
Q. How old are you ?
A. I don't know; I might be something like it forty.
Q. How many children have you ?
A. Six under my control - Lewis, Dollie, Mary, Henry, Arthur, and Walter.
Q. Are these children all living ?
A. Yes, sir; all living at home with me.
Q. How old is Lewis ?
A. He is about 19 I guess.
Q. How old is Dollie ?
A. She is about 16.
Q. How old is Mary ?
A. About 14 I reckon.
Q. How old is Arthur ?
A. He is about 12.
Q. How old is Henry ?
A. He is about 10.
Q. How old is Walter ?
A. About 8 I reckon.
Q. What is the name of the father of these children ?
A. Abe Ward.
Q. Is he living ?
A. No, sir; he has been dead good while.
Q. How many years has he been dead ?
A. I guess it is about 8 years.
Q. You are not a freedman of the Choctaw Nation yourself, are you ?
A. No, sir; only just through my old man.
Q. Abe Ward ?
A. Yes, sir.
Q. Is he a freedman of the Choctaw Nation ?
A. Yes, sir.
Q. Who was his owner ?
A. Eden Ward.
Q. Was Eden Ward a recognized and enrolled citizen of the Choctaw Nation ?
A. Yes, sir.
Q. Were you legally married to Abe Ward ?
A. Yes, sir; I was married to him.

Q. When were you married to Abe Ward ?
A. I cannot tell you how long it has been. It has been a long time - about 23 years I reckon.
Q. You were married to Abe Ward about 23 years ago then to your recollection ?
A. Yes, sir; that is the best of my remembrance.
Q. Where were you married to Abe Ward ?
A. Right there at home.
Q. Close to Nelson ?
A. Yes, sir.
Q. Were you married by a minister ?
A. Yes, sir; the old folks married us by a minister I guess - they just talked us together - didn't give us no certificates.
Q. Who talked you together ?
A. I cannot remember his name.
Q. Was he a preacher ?
A. Yes, sir; I reckon he was a preacher.
Q. Was he a white man or a colored man ?
A. Colored man.
Q. You say he didn't give you a certificate ?
A. No, sir; he didn't give me no certificate. There was no certificates given in that time we were just married like the Choctaw rule married.
Q. You were married according to the custom of the Choctaw Nation at that time ?
A. Yes, sir; I lived with Abe until his death.
Q. From the time you were married to Abe Ward you state that you lived with him continuously up to the time of his death as his wife ?
A. Yes, sir; I lived with him.
Q. You were always recognized in the community where you lived as husband and wife from the time you and Abe Ward were married up to his death ?
A. Yes, sir; we were recognized just the same as man and wife.
Q. From the time you were married to Abe Ward up until his death did you ever live with any other man ?
A. I lived with a man after Abe Ward quit me awhile and went off.
Q. When did Abe Ward quit you ?
A. I cannot tell you when he quit me. He quit me awhile and then come back home and lived with me until he died.
Q. How long before he died was it that he quit you ?
A. I don't know how long it was.
Q. How long before he died was it that he came back to live with you again ?
A. It was about seven years I guess.
Q. How long washe away from you ?
A. I cannot tell that Mr. you just get me wool gathered - about 2 or 3 years I guess - I cannot tell anything.
Q. Now you say he was gone about 2 or 3 years you reckon ?
A. Yes, sir.
Q. [illegible] were born about he left you ?
A. I had two when Abe left me ?
A. What were their names ?
A. Dena and Mandy.
Q. Are they your two oldest children ?
A. Yes, sir.
Q. They are older than Lewis ?
A. Yes, sir.
Q. And these were the only two children that you had before Abe Ward left you ?
A. Yes, sir; them two oldest girls.

Q. None of these six children for whom you have made application for enrollment were born when Abe left you ?
A. I am just tangled up with this business until I don't know straight up.
Q. Don't you know how many children you had that were born before Abe quit you that time ?
A. It has been so long I am tangled up so I just cannot recollect.
Q. How many children did you have born after Abe quit you and before he came back to live with you again ?
A. I had two.
Q. What are their names ?
A. The little boy named Thomas - he is dead, and Lewis.
Q. Is that all that you had born from the time that Abe Ward quit you until he came to live with you again ?
A. Yes, sir.
Q. Which is the older, Thomas or Lewis ?
A. Lewis is the eldest.
Q. Thomas is dead you say ?
A. Yes, sir.
Q. How long after Abe left you was it that Lewis was born ?
A. About one and a half years I guess.
Q. What is the name of the man that you lived with after Abe Ward quit you that time ?
A. Ike LeFlore.
Q. Is Ike LeFlore the father of Lewis?
A. Yes, sir.
Q. Is Ike LeFlore the father of any of the rest of these children ?
A. No, sir.
Q. How many children did you have born after Abe Ward came back to live with you ?
A. Mary, Arthur, Henry and Walter.
Q. Now which one of these children is the oldest, Mary ?
A. Yes, sir; she is older than Arthur.
Q. Now how long after Abe Ward came back to live with you was it that Mary was born ?
A. I don't know; I cannot tell anything about it.
Q. About how long ?
A. About a year I guess or six months. I cannot tell anything at all about it.
Q. Is Ike LeFlore the father of Mary ?
A. No, sir.
Q. Who is the father of Mary ?
A. Abe Ward; that is what I call it.
Q. Who is the father of Henry ?
A. Abe Ward.
Q. Who is the father of Arthur ?
A. Abe Ward.
Q. Who is the father of Walter ?
A. Abe Ward.
Q. Who is the father of Dollie ?
A. Abe Ward.
Q. Now when was Dollie born - was that while Abe Ward was gone?
A. Yes, sir; he didn't exactly quit me - he was coming back home all the time.
Q. Well now Dollie was born during the time that Abe was not living with you ?
A. Yes, sir.
Q. Is Dollie younger than Lewis ?
A. Yes, sir.
Q. Is Ike LeFlore the father of Dollie Ward ?
A. No, sir.
Q. Dollie was born though when Ike LeFlore was living with you wasn't she ?
A. No, sir.

Q. Was Dellie born while you were living with Ike LeFlore and while you and Abe were separated ?
A. I didn't have but just that child Lewis while Abe was gone.
Q. This child Lewis was the only child you had while you and Abe Ward were separated ?
A. Yes, sir.
Q. How about Dellie ?
A. That Abe's.
Q. Was he living with you when Dellie was born ?
A. Yes, sir; he came to see me.
Q. Now you state that Ike LeFlore is the father of Lewis ?
A. Yes, sir.
Q. And you state that Ike LeFlore is not the father of Dellie?
A. No, sir.
Q. Is Abe Ward the father of Dellie ?
A. Yes, sir.
Q. Is Abe Ward the father of Mary, Arthur, Henry and Walter?
A. Yes, sir.
Q. You state on oath that Abe Ward is the father of all these six children except Lewis ?
A. Yes, sir; that is just right.
Q. In the first part of your examination you said that you lived with Abe Ward all the time from the time you were married up to the time of his death ?
A. I did; I lived with him plum till death. I never did quit Abe but Abe quit me.

Q. How long did you say he was gone from you ?
A. I think I said three years.
Q. That is right, is it, about three years ? Yes.
A. I don't know whether that is right or not, Mr., that is as near as I can come to it.
Q. Abe Ward came back to live with you before your child, Mary was born ?
A. Yes, sir; he came back off and on all the time when he was passing through.
Q. Did he live with you all the time from before Mary was born up to his death ?
A. Yes, sir; all the time he lived with me. He lived with me before Mary was born and lived with me after Mary was born. He was my first husband and he was my last husband.
Q. Were you ever married to this man Ike LeFlore ?
A. No, sir.
Q. Was he a citizen of the Choctaw Nation ?
A. Yes, sir.
Q. You were never married to him ?
A. No, sir.
Q. Did you ever live with any other man except Ike LeFlore besides your husband, Abe Ward ?
A. No, sir.
Q. Did Ike LeFlore live with you all the time after Abe Ward was separated from you ?
A. [illegible]
Q. Was Ike LeFlore living with you when Dollie was born ?
A. Why do you all question me that way ?

Because the rights of your children depend upon whether they are the children of Abe Ward and whether you were legally married to him.

Witness excused.

ANGELINE McDONALD, being first duly sworn, testifies as follows:

Q. What is your name ?
A. Angeline McDonald.
Q. What is your post office address ?
A. Atoka.
Q. How old are you ?
A. Either 40 or 50 - I have got my age lost.
Q. Are you a recognized and enrolled freedman of the Choctaw Nation ?
A. Yes, sir.
Q. Are you any kin to Annie Ward ?
A. No, sir.
Q. Are you any kin to her former husband, Abe Ward ?
A. No, sir.
Q. How long have you known Annie Ward and Abe Ward ?
A. I cannot tell you - I have been knowning him ever since they were small.
Q. Have you known them both ever since they were small ?
A. Yes, sir.
Q. Did you live close to them ?
A. I lived close to them for about five or six years.
Q. Do you know when Abe Ward and Annie Ward were married ?
A. No, sir; I heard them say they were married that is all I know. They lived down in Kiamichi county and I moved up here.
Q. Who did you hear say they were married ?
A. Old aunt Susan - she is dead now.
Q. Have you visited them since they were married ?
A. No, sir; I was too far off to visit them. When they moved up there to me I went to see them.
Q. When did they move up there close to you - when Mary was born ?
A. They had four children when they moved up there.
Q. You don't know anything about their marriage ?
A. No, sir.
Q. Do you know whether they lived together as husband and wife ?
A. I know that Abe claimed after they moved up there that she was his wife.
Q. How many children did they have when they moved up close to you ?
A. Six.
Q. What were the names of these six children that they brought up there ?
A. Mandy, Dona, Ida, Mary, Lewis and Dollie.
Q. How many children did they have born after they moved up there ?
A. They had three I believe.
Q. [illegible]
A. Arthur, Henry and Walter.
Q. Were Annie Ward and Abe Ward living together when theyb moved up close to you ?
A. Yes, sir.
Q. Where was that that you were living ?
A. Over here close to Stringtown about six miles.
Q. After they moved up there they had three children born you say - Arthur, Henry and Walter?
A. Yes, sir.
Q. The rest of their children were born before they moved up there ?
A. Yes, sir.

Q. Do you know when Abe Ward died ?
A. I know about when he died, but I don't know the year when Abe died in.
Q. When Abe Ward and Annie Ward moved up close to you by Stringtown did they live continuously up to the time of his death as husband and wife ?
A. Yes, sir; they lived there about 4 or 5 years and they moved across Poteau and lived there awhile and moved back down in Kiamichi and they lived together when Abe Ward died because I went down there to see Abe.
Q. You know that they were living together when these three youngest children, Arthur, Henry and Walter were born ?
A. Yes, sir.
Q. You don't know anything about their living together when these other children were born ?
A. No, sir.
Q. You don't know whether they were living together when Lewis Dellie and Mary were born or not ?
A. No, sir; I was living far away from them.
Q. From the time they moved up to where you lived close to Stringtown, and up as long as Abe lived do you know whether they were living together as husband and wife and were so regarded in the community where they lived as husband and wife ?
A. They were right together all the time. I went to see them time and time again.
Q. You don't know anything about the time they were separated and when Annie lived with this man Leclere ?
A. No, sir.
Q. And you don't know anything about the parentage of these older children, Lewis, Dellie and Mary ?
A. No, sir.
Q. And you don't know whether they were legally married or not?
A. No, sir.
Q. Do you know that for 4 or 5 years time when they were living close to Stringtown they were living together and regarded as husband and wife ?
A. Yes, sir.

FRANK FISHER, being first duly sworn, testifies as follows:

Q. What is your name ?
A. Frank Fisher.
Q. How old are you, Frank ?
A. Will be 24 years old 15th day of January.
Q. What is your post office address ?
A. Nelson.
Q. Are you a brother of Annie Ward ?
A. Yes, sir.
Q. Do you know whether Annie Ward, your sister, and Abe Ward [illegible]
A. I don't know when they married, but when I got big enough to remember anything they were living together.
Q. Do you know when they were married ?
A. No, sir; I don't know when they were married no time or anything.
Q. You state they were married when you were quite small ?
A. Yes, sir.
Q. How old were you when you remembered that they were living together ?
A. 9 or 10 years old.
Q. You state that you are 24 years old now ?
A. Yes, sir.

Q. That would be about 14 or 15 years ago when you remembered about them living together ?
A. Yes, sir.
Q. You don't know anything about when your sister, Annie, and this man Abe ward were married ?
A. No, sir.
Q. You have only known about them being married for about 14 or 15 years ?
A. Yes, sir.
Q. Did they have any children born when you first remembered of them living together ?
A. When I get big enough to recollect they were married they had some children. They had Dona, Mandy and Ida.
Q. These children, Lewis, Dollie, Mary, Arthur, Henry and Walter were they all born after you could remember ?
A. Yes, sir.
Q. Do you know who is the father of these last six children, Lewis, Dollie, Mary, Arthur, Henry and Walter ?
A. They said Ike Levlore is Lewis daddy, but these others Abe ward their daddy.
Q. Is Abe Ward the father of Dollie, Mary, Arthur, Henry and Walter ?
A. Yes, sir.
Q. How do you know Abe Ward is the father of these five children ?
A. That is what was told me.
Q. Were Annie Ward and Abe Ward separated for awhile ?
A. I don't know anything whether they were separated or not, they might have been separated.
Q. Do you know whether Annie Ward ever lived with Ike Levlore?
A. I cannot tell you that either.

Witness excused.

Wm. L. Martin, stenographer to the Commissioner to the Five Civilized Tribes, on oath states that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

William L. Martin

Subscribed and sworn to before me this the 3rd day of January, 1906.

W. F. Angell.
Notary Public.

A F F I D A V I T.

I, Annie Ward, upon oath do hereby state that I have had born to me (10) Teh children, Seven (7) of whom are living, as follows;

Lewis Ward ----19 years old,

Dollie " -----17 " " " " "

Mary " -----15 " " " " "

Arthur " -----13 " " " " "

[illegible] " -----10 " " " " "

[illegible] " -----8 " " " " "

[illegible] " -----5 " " " " "

And three (3) of whom are dead as follows;

[illegible] Ward, died A. D. 1890

[illegible] " " [illegible] 25, 1893

Thomas " " Jany 12, 1899.

[illegible] Witnesses; Annie X Ward
her
mark

Sue E. Morris

Baster Morrel

Ind-Ter)

Cherokee Dist.

Personally appeared before me Annie Ward who being duly sworn testifies that the above is true to the best of her knowledge and belief, this the 20th day of April 1905.

E. Morris,
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T. - February 13, 1906.

In the matter of the application for the enrollment of Ida Guest and her minor child Peter Ward, as Choctaw freedmen.

APPEARANCES:

Annie Ward and Israel Colbert, witnesses on behalf of the applicants.

Choctaw and Chickasaw Nations represented by G. Rosenwinkle of Mansfield, McMurray and Carmichael.

ANNIE WARD, being first duly sworn, testifies as follows:

By the Commissioner:

Q What is your name? A My name is Annie Ward.
Q Annie Ward; how old are you? A Well about [illegible]-- I am guessin' about my age; about [illegible], I guess.
Q Where do you live? A I live down there at Nelson's [illegible].
Q In what Nation? A What Nation? In the Choctaw Nation.
Q Are you a Choctaw or Chickasaw? A No sir, I wasn't a Chickasaw. My mother is a Cherokee.
Q You never have had any rights at all as a citizen? A Yes sir.
Q Well you never have been enrolled as a Choctaw or Chickasaw freedman and received an allotment? A No sir.
Q Are you on the rolls as a citizen? A Yes sir; I have to [illegible] as a citizen.
Q Is the applicant in this case, Ida Guest your daughter? A Yes [illegible]
Q How old is Ida Guest? A I guess she is about [illegible]-- 18 or [illegible] years old I reckon; I can't count her age up.
Q Who is the father of Ida Guest? A Israel Colbert.
Q Was you ever married to Israel Colbert? A Yes sir; we lived the same as man and wife.
Q What is your maiden name? A My maiden name?
Q Your name before you [illegible] married? A Before I was married; I guess I was [illegible] Ward, yes sir.
Q [illegible] A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] A Yes sir; that is my [illegible]
Q [illegible]
Q [illegible] I can't [illegible]
Q [illegible] 20 years since I was [illegible]

Q How long have you lived with Abe Ward? A I lived with him plum up untill death.
Q How long has he been dead? A He has been dead about 9 years-- eight or nine years.
Q How old a girl was you when you married Abe Ward?
A Just twelve years old.
Q And you lived with Abe Ward as his wife up until the time he died?
A Yes sir, I lived with him as his wife, but he left me a while, but he came back after a while and I still lived with him up until his death.
Q Abe Ward is a states nigger, wasn't he? A No sir, he was a Choctaw nigger.
Q How many children did you have by Abe Ward? A I have got Dellie, Mary, Arthur, Henry and Walter-- well Mandy, she is the oldest one, but she is married; I am just tellin' you.
Q Was Abe Ward the father of this girl Ida Guest? A No sir.
Q You have never married to Israel Colbert? A No sir; we weren't married.
Q Now your daughter Ida Guest testified before the Dawes Commission in December 1902-- A Yes sir.
Q That she was your daughter by Abe Ward; how you bring this man Israel Colbert up here and testify that Israel Colbert is the father of Ida Guest? A Yes sir; you know-- you see-- she didn't know how to make this application. Abe Ward raised this girl up till his death, but he made a mistake, and I am correcting the mistake. She is a freedman.
Q Israel Colbert is enrolled as a freedman, isn't he? A Yes sir.
Q And he is too? A Yes sir; he was enrolled the same time my daughter's children was.
Q Haven't you also made an application yourself to this Commission for the enrollment of your children by Abe Ward? A Yes sir.
Q Now those children haven't been enrolled yet, have they?
A Yes sir; all of my children is enrolled-- right here at this place.

It appears from the records of the Commission to the Five Civilized Tribes that the witness Annie Ward made application for the enrollment of her minor children Lewis, Dellie, Mary, Arthur, Henry and Walter Ward as Choctaw freedmen at Muskogee, Indian Territory on August 22, 1902.

Q How much older is your boy Lewis Ward than this girl Ida Guest?
A Well I reckon about two years older.
Q Now who is the father of Lewis Ward? A His father is a Choctaw.
Q Well, what is his name? A It is Lefiore.
Q Now didn't you testify when you were before the Commission in August 1902 that Abe Ward was the father of all these children?
A I testified that he had recognized them all there-- I did as I was told; I didn't know how to make an application any more than this chair here.
Q Now at the time you appeared before the Dawes Commission to have your children enrolled, didn't you swear in answer to the question as to who was the father of these children, that their father was Abe Ward? A That is what they told me at that time-- I didn't understand.
Q Well, don't you understand a plain question that is asked?
A Yes sir.

Q When I ask who is the father of these children, can't you understand it? A I understand it now.
Q Well who is the father of these children? A Well, Abe Ward is the father, but Lewis and Ida, they are different; that is all.
Q Now at the time you went before the Dawes Commission, when you were here in August 1902, you were asked this question; are you willing to positively swear that each one of these children is the child of yours and this man Abe Ward?
A I didn't understand that, at all.
Q You didn't understand that at all? A No sir.
Q Do you understand these questions that are being asked you now?
A Yes sir, I understand it now, but I didn't understand it then.
Q What is the matter? A I don't know; ignorance, I guess.
Q Well, have you learned these things since you testified two years ago; you didn't know who the father of these children were two years ago? A I knew it, but I didn't know how to make application until I was told.
Q You were asked who was the father of these children-- A I don't know--
Q Here is your sworn testimony of it; your daughter Ida Grant swears that Abe Ward was her father. A Well she didn't know.
Q Well How do you know now? A She was gone from me-- she didn't know; she wasn't with me. She just didn't know. But she come here the other day.
Q You answer my question; we want YOUR testimony. You realize you have made a good many contradictory statements as to who was the father of these children? A I didn't understand it; that is what they told me.
Q Who told you? A Israel Colbert told me to; he said they followed my name so all the children went in my name, so I had to do it.
Q So Israel Colbert told you to swear that these children were the children of Abe Ward? A I got him to show me how to make application, and he said to make it in my husband's name. All the children had to make application in my husband's name; they followed Abe Ward's name; Abe Ward raised them.
Q Which two was that? A Lewis and Ida.
Q Wasn't you the wife of Abe Ward when Lewis and Ida were born?
A No sir, I wasn't--
Q You didn't you testify a few minutes ago that you married and lived with Abe Ward when you were twelve years old and lived with him until his death nine years ago? A Yes.
Q Now what do you mean by swearing that you were not married to Abe Ward when these two children Lewis Ward and Ida Grant were born? A Yes-- he wasn't with me right at the same time, but he come back home then lived with me up until death, and recognized all of these children till plum up to death. That is what I told you a while ago Mr. and that he was the first husband and my last.
Q He was the only husband you ever had? A Yes sir.
Q Where was the [illegible] when these children were born?
A [illegible]
Q Wasn't you living with him? A No sir-- he was living at Atoka.

Q Now where were you living? A I was living down there close to Nelson's.
Q How far was that from Atoka? A About forty miles.
Q Were you ever divorced from Abe Ward? A No sir, I never was divorced from him; that is the reason I come home.
Q Now do you say you are the lawful wife of Abe Ward and that you were never divorced from him; that you had two of these children by two other men? A Yes sir.
Q How are you going to prove that? A You mean that I lived with him until death?
Q We will admit that you lived with Abe Ward, that you were married to him--- A He was my first husband and my last.
Q How can you establish the fact that two of the children were not lawfully born of Abe Ward? Your testimony--- A I didn't bring it here.
Q It is your own sworn testimony; I brought it here today, but-- four years ago you swore to the--- A Abe Ward has recognized those children up till death, and I was told to come---
Q You are saying the same thing over and over again; you don't get down to the facts; that Abe Ward was the father of all these children; that the statements that you now attempt to make that the children of--- (Interruption)
Q I want to know how you are going to reconcile that?
A Well, I don't know; I can't reconcile those two statements.

By G. Rosenwinkle:

Q Do you know you are coming up here and swearing falsely? A No sir.
Q You aren't swearing falsely? A No sir, I don't swear falsely.
Q How many men did you live with down there all together?
A I didn't live with but two at the time Abe left me. I have got the papers to show for it-- that I must go and make a new application for them.
Q You say now that Israel told you to go before the Commission and swear falsely? A No sir, he told me that was the way to make the application; he said that was the way to make application.
Q Your statement to the Commission now is that you knew that Abe wasn't the father of these children, but that Israel told you to go and tell the Commissioner a lie and swear falsely? A No sir, he said---
Q And you went before the Commissioner and made out differently when you knew better? A No sir, I didn't know better,----
Q I am not talking about application now; I am talking about who was the father of these children? A Well, I done told you; Abe Ward he raised them.
Q I want you to explain why you went before the Commissioner and swearing false statements under your oath? A I didn't know any better.
Q You didn't know any better; do you know any better now?
A Yes sir, I know better now.

ISRAEL COLBERT, being first duly sworn, testifies as follows:

By the Commissioner

Q What is your name? A Israel Colbert.
Q How old are you? A Fifty-two years old.
Q Where do you live? A Kiamitia County, Choctaw Nation.
Q What is your postoffice address? A Nelson postoffice.
Q Are you a Choctaw or Chickasaw freedman? A Choctaw.
Q Have you been enrolled? A Yes sir.
Q Have you received an allotment? A Yes sir.
Q Do you know Annie Ward? A Yes sir.
Q How long have you known her? A Since she was a little girl.
Q What is the name of Annie Ward's oldest child? A Doney, I think.
Q Who is the father of Doney Ward? A She said, Abe Ward.
Q What is the name of Annie Ward's next oldest child? A Mandy.
Q Who was her father? A Abe Ward.
Q What is the name of Annie Ward's next oldest child? A Ida.
Q What is her present name? A Ida Guest.
Q How old is Ida? A I don't know-- about twenty-one or twenty-two.
Q Who is the father of Ida Guest? A She said I was.
Q When was Ida Guest born? A I don't know; about twenty-one or twenty-two years ago; about that long, I guess- I think.
Q Where were you living at that time? A I was living in Jack Fork County.
Q Did you ever live with this woman Annie Ward? A Yes sir.
Q How long did you live with her? A About a year, I expect; about that long.
Q What years? A I don't r-member; I never paid any attention; about twenty-one or twenty-two years ago-- about that long.
Q Did you know Abe Ward? A Yes sir.
Q Where was Abe Ward at the time you were living with his wife, Annie Ward? A I don't know.
Q Was you married? A I am now.
Q Were you married at that time? A No.
Q Who was this man Abe Ward? A He was a citizen of the Choctaw Nation-- freedman.
Q Who did he belong to? A To Eden Ward, I suppose.
Q This woman Annie Ward, was she a Choctaw freedman? A Cherokee.
Q Are you living with this woman, Annie Ward now? A No sir.
Q Do you know anything of the marriage of Abe Ward and Annie Ward.
A I don't know anything of it.
Q Didn't you testify before the Commission in reference to the enrollment of the children of Annie Ward, here at Muskogee in 1902? A Yes sir.
Q Was you asked who the father of her children was at that time?
A Yes sir.
Q What did you say? A I say Abe Ward; I didn't know whether he was or not. That's my statement; I don't know to this day whether he is or not.
Q Well hasn't this girl Ida Guest always been known as the child of Abe Ward; didn't Annie Ward testify that Abe Ward was the father of this girl? A I don't know; I didn't know anything about [illegible] the other day.
Q You [illegible] daughter of Annie Ward, [illegible] A Yes sir, up to that [illegible] when she first enrolled [illegible]
Q [illegible] that when they asked [illegible]

A I didn't have anything to do with Ida Colbert; she wasn't of age.
Q Well didn't you ask about all of Abe Ward's children? A No sir I told the Commissioner I didn't know whether they was Abe Ward's or not; that is what I told him; that is my statement to the Commission, but so said they were his children.
Q Now Ida Guest, when she testified before the Commission, stated her father was Abe Ward. A I didn't know about that until the other day.
Q Have you got any financial interest in this matter? A No sir, just any more than what I have the other day. The Commissioners wrote to her if she could prove her father was a Choctaw freedman, she could be enrolled.
Q Now that is the reason that you and Ida Guest come back here now to swear that you are her father and you are enrolled as a Choctaw freedman? A I didn't come to do that.
Q Well now, I will ask you if up until the time that you found out that this girl Ida Guest could not be enrolled, or had not been enrolled as a daughter of Abe Ward, that the fact that you were her father had never been mentioned?
A I don't know how about the Commission, but it was mentioned in our neighborhood there all the time.
Q Now as a matter of fact, didn't you and Annie Ward and Ida Guest, all of you testify here before the Dawes Commission, that Abe Ward was the father of all of Annie Ward's children?
A I don't know; she wasn't a minor child-- I never called her name in-- Annie Ward's minor children so said.
Q Are you living with Annie Ward now? A No sir.
Q Well how did you happen to come up here? A Well the Commissioner wrote to her if her father would come and swear to her she would be enrolled.

By G. Rosenwinkle:

Q Who was this letter written by? A I don't know.
Q Did you see the letter? A No sir.
Q Do you know in whose possession the letter is now? A No, I-- I think it is in her possession now.
Q Who, Ida Guest? A Yes.
Q Have you lived with this woman Annie Ward any since Abe Ward is dead? A No sir.
Q Who paid your way up here today? A Paid my way? paid it myself.
Q You paid it yourself? A Yes sir. Ida furnished part of the money.
Q You go around as a rule and pay money out of your pocket to testify for other people's children? A No.
Q How many men lived with this woman Annie Ward? A I don't make it my of my business.
Q You better make it something of your business. You don't know anything about that? A No sir.
Q Never heard anything of that kind said? A I have heard it.
Q Her reputation in that neighborhood was that a good many were about and around? A I heard it said.
Q You haven't as a matter of fact said whether this child Ida is your child or not? A I suppose she is.
Q Israel, you were present before the Commission in August 1902, here at Muskogee; you testified in that time, did you not?
A I guess it was that time; you I testified before the Commission.

Q Annie Ward testified also at that time, did she not? A Yes sir.
Q Annie Ward knew who her children were at that time? A Yes sir.
Q Did you at that time induce her to appear before the Commission and tell her to swear falsely? A No sir.
Q You didn't tell her that she would have to have these children enrolled as Ward's children? A I told her to have Ward's children enrolled as his children; I didn't tell her to have any other children.
Q Did you make any statements at all as to how to have her testify?
A I only told her to have Ward's children enrolled.
Q What other men have been said to have lived with this woman?
A I can't tell you.
Q You have heard it? A I couldn't tell you.
Q You state you have heard that other men have lived with her?
A I couldn't state what ones -- one man Lefiore, it is so said.
Q What other men? A That is all I know.

Witness excused.

Josephine R. Pratt, a stenographer to the Commissioner to the Five Civilized Tribes, on oath states that she correctly reported the proceedings had in the above entitled cause and that the foregoing is a full, true and correct transcript of her stenographic notes thereof.

Josephine R. Pratt.

Subscribed and sworn to before me this 14th day of February, 1906.

Myron White,
Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Nelson, Indian Territory, February 11, 1907.

In the matter of the application for the enrollment of Lewis, Dellie, Mary, Arthur, Henry and Walter Ward as Freedmen of the Choctaw Nation.

Annie Ward, being first duly sworn and examined, testifies as follows:

ON BEHALF OF THE COMMISSIONER:

Q What is your name? A Annie Ward.
Q How old are you? A I don't know.
Q About how old are you? A About forty.
Q What is your postoffice address? A Nelson.
Q What is the name of your father? A Charles Lowery.
Q What is the name of your mother? A Jane Lowery.
Q Are you married? A Yes, sir, I am but my husband is dead.
Q What was his name? A Abe Ward.
Q How many times have you been married? A I haven't been married but once.
Q How many children have you had by this Abe Ward? A I had Mandy, Dellie, Mary, Arthur, Henry and Walter and these three that are dead.
Q When did these three children die? A They all died long before this register was made.
Q Have you had any other children besides these you have just named? A Yes, sir.
Q What are their names? A Lewis and Ida.
Q These are all the children you have had, are they? A Yes, sir.
Q Who is the father of Lewis? A Isaac LeFlore.
Q Isaac LeFlore is the father of Lewis, is he? A Yes, sir.
Q What is Lewis's last name? A Lewis LeFlore, but he always went by the name of Lewis Ward.
Q Who is the father of Isaac LeFlore? A I have always heard that his name was John LeFlore.
Q What is the name of his mother? A Jane LeFlore.
Q Is Isaac LeFlore now living? A Yes, sir, he is living.
Q Where does he live? A Antlers?
Q Are these children, Lewis, Dolly, Mary, Arthur, Walter and Henry all living? A Yes, sir.
Q Abe Ward was the father of all these children, excepting Lewis, is he? A Yes, sir.
Q When did your husband, Abe Ward die? A He died the same year when they were first taking applications at Goodland.
Q Who was this taking applications? A The Commissioners.
Q Do you know what year this was? A No, sir, I don't know.

(Witness excused)

I, Fay E. Blackert, stenographer to the Commissioner to the Five Civilized Tribes, upon oath, state that I reported the proceedings in the above and foregoing cause, and that the same is a true and correct transcript of my stenographic notes taken therein.

Fay E. Blackert

Subscribed and sworn to before me this 11th day of February, 1907.

Richard Sharpefest
Notary Public.

17-D-158.
17-D-208.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

DBD

In the matter of the application for the enrollment as Choctaw freedmen of Lewis Ward, et al. consolidating the applications of:

Lewis Ward, et al.	17-D-158.
Ida Guest, et al.	17-D-208.

-: D E C I S I O N :-

It appears from the record herein that on August 22, 1902, Annie Ward, a new citizen, appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of her minor children, Lewis Ward, Dellie Ward, Mary Ward, Arthur Ward, Henry Ward and Walter Ward, as Choctaw freedmen and that on December 4, 1902, Ida Guest, the daughter of said Annie Ward, made application at Antlers, Indian Territory for the enrollment of herself and her minor child, Peter Ward, as such freedmen.

The record herein shows that when Annie Ward made original application on August 22, 1902, for the enrollment of her minor children, Lewis, Dellie, Mary, Arthur, Henry and Walter Ward, she claimed that all and each of them were born in lawful wedlock of her and one Abe Ward, a Choctaw freedman, now deceased. On said date one Israel Colbert appeared and testified to the effect that said Abe Ward was reputed to be the father of those said children, but admitted however that Abe Ward was separated from Annie Ward for about six or seven years, during which interval a child, name not given, was born to said Annie Ward, and that said child was not the child of Abe Ward.

On December 4, 1902, Ida Guest in the matter of the enrollment of herself and her minor child, Peter Ward, testified that she was the daughter of Abe Ward and Annie Ward.

On December 20, 1905, said Annie Ward testified that she was lawfully married to Abe Ward and that by him she had several children, that she had two children named Dana and Mandy, who were born prior to the separation between husband and Ward; that while she was separated from him, there was born to her the applicant, Lewis Ward herein, and one other child, now deceased, and that the father of said last two mentioned children, was one Ike LeFlore, a Choctaw Indian; that after the birth of said children, she again co-habited with the said Abe Ward, by whom she had the applicants, Dellie, Mary, Arthur, Henry and Walter Ward, and that she never co-habited with any other man than Abe Ward and Ike LeFlore.

On February 13, 1906, Annie Ward then testified that

she had also lived with one Israel Colbert, a Choctaw freedman, and by him she had one child, the applicant, Ida Guest. On said date also Israel Colbert testified corroborating Annie Ward with respect to alleged paternity of the applicant Ida Guest. He also testified that Annie Ward had lived with several men.

The records of this office show that Dona Ward, child of Annie Ward, mentioned in the testimony, died in 1893; that the rights of Mandy Manning (daughter of said Annie Ward) and her children have heretofore been determined by the Commission to the Five Civilized Tribes and their names placed upon the final roll of Choctaw freedmen approved by the Secretary of the Interior.

The rights of the applicants herein are dependent almost entirely upon the testimony of Annie Ward, but the evidence discloses on her part such a total lack of decency, morality and truthfulness, that no credence can be given to her testimony and that the same is worthless to establish rights to enrollment of these applicants.

I am therefore of the opinion that Lewis Ward, Dellie Ward, Mary Ward, Arthur Ward, Henry Ward, Walter Ward, Ida Guest and Peter Ward are not entitled to be enrolled as Choctaw freedmen and that the application for their enrollment as such should be denied in accordance with the Acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1905 (32 Stats., 641), and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

FEB 27 1907

17-D-158

COPY

Muskogee, Indian Territory, February 27, 1907.

Ida Speck,

Kent, Indian Territory.

Dear Madam:-

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 27, 1907, denying the application for your enrollment and for the enrollment of Lewis Ward, Dollie Ward, Mary Ward, Arthur Ward, Henry Ward Walter Ward and Peter Ward as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *Tams Bixby*

Commissioner.

Registered.
Encl. 17-D-158

17-D-158

COPY

Muskogee, Indian Territory, February 27, 1907.

Annie Ward,

Nelson, Indian Territory.

Dear Madam:-

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 27, 1907, denying the application for the enrollment of Lewis Ward, Dollie Ward, Mary Ward, Arthur Ward, Henry Ward, Walter Ward, Ida Guest and Peter Ward asChoctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
Insl. 17-D-158

17-D-158

COPY

Muskogee, Indian Territory, February 27, 1907.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:-

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 27, 1907, denying the application for the enrollment of Lewis Ward, Dollie Ward, Mary Ward, Arthur Ward, Henry Ward, Walter Ward, Ida Guest and Peter Ward as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Incl. 17-D-158

COPY

Muskogee, Indian Territory, February 27, 1907.

The Honorable,

The Secretary of the Interior.

Sir:-

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Lewis Ward, Emilie Ward, Mary Ward, Arthur Ward, Henry Ward, Walter Ward, Ida Guest and Peter Ward as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated February 27, 1907, denying said application.

Respectfully,

SIGNED Tams Bixby

Commissioner.

2 Incl.
Through the
Commissioner of Indian Affairs.

DEPARTMENT OF THE INTERIOR

WASHINGTON

March 4, 1908.

[illegible]

Sir:

Concerning the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following citizenship cases, adverse to the applicants, are hereby approved. Copy of Indian Office letter of March 2, 1908, acknowledging your reports of February 27, 1907, and recommending that the decisions be affirmed, is inclosed.

Title of Case:

[illegible]

A copy hereof and all the papers in the above named cases have been sent to the Indian Office.

Respectfully,

E. A. Hitchcock,

Secretary.

[illegible]

Enl.

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON

March 4, 1897.

[illegible]

The Honorable

The Secretary of the Interior,

Sir:

I have the honor to transmit herewith three communications, [illegible] Commissioner Bailey, and which are respectively in the following [illegible] respect:

[illegible] Philip Hawkins Ward, Arthur Ward, Henry Ward, William Ward, Ida Ward, and Peter Ward, [illegible] Creek Freedmen,

Lewis Hope as a Cherokee Freedman, and

Simon Rodney as a Choctaw Freedman.

The Office has carefully examined the decisions of the Commissioner in these cases, and is of the opinion that they are correct, and it is recommended that they be affirmed.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

[illegible]

17-D-153

Muskogee, Indian Territory, April 19, 1907.

Ida Guest,

Kent, Indian Territory.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 27, 1907, denying the application for your enrollment and for the enrollment of Lewis Ward, Dollie Ward, Mary Ward, Arthur Ward, Henry Ward, Walter Ward and Peter Ward as Choctaw freedmen.

Respectfully,

Commissioner.

17-C-158

Muskogee, Indian Territory, April 19, 1907.

Annie Ward,

Nelson, Indian Territory.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 27, 1907, denying the application for the enrollment of Lewis Ward, Dollie Ward, Mary Ward, Arthur Ward, Henry Ward, Walter Ward, Ida Guest and Peter Ward as Choctaw freedmen.

Respectfully,

Commissioner.

17-D-1[illegible]

Muskogee, Indian Territory, April 19, 1907.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 27, 1907, denying the application for the enrollment of Lewis Ward, Dollie Ward, Mary Ward, Arthur Ward, Henry Ward, Walter Ward, Ida Guest and Peter Ward as Choctaw freedmen.

Respectfully,

Commissioner.

17-D-158

Muskogee, Indian Territory, September 24, 1904.

Annie Ward,

Nelson, Indian Territory.

Dear Madam:-

Receipt is hereby acknowledged of your letter of the 8th instant, addressed to the Secretary of the Interior and by him referred to this Commission for consideration and appropriate action. Therein you request to be advised relative to the application for enrollment of your children as Choctaw freedmen.

You are advised that Lewis, Dollie, Mary, Arthur, Henry and Walter Ward, minor children of Abe Ward, deceased, and Annie Ward are applicants to this Commission for enrollment as Choctaw freedmen, but their rights to final enrollment as such have not yet been determined.

Respectfully,

Chairman.

17-D-158.

Muskogee, Indian Territory, April 7, 1905.

Emma Ward,

Nelson, Indian Territory.

Dear Madam:

In the matter of the application for enrollment of your children, Lewis Ward, Nellie Ward, Mary Ward, Arthur Ward, Henry Ward and Walter Ward, as Choctaw Freedmen, you are advised that before disposition can be made of said application, it will be necessary for you to furnish the Commission your affidavit setting forth the names in full of your children now living, also the names of those dead, if any, giving date of death.

You should furnish the affidavit above referred to at the earliest date possible, in order that disposition may be made of said application.

Respectfully,

Commissioner in Charge.

[illegible]

[illegible] Indian Territory, April [illegible]

[illegible]

Dear Sir:

Yeleen, Indian Territory.

Receipt is hereby acknowledged of your letter without date transmitting your affidavit relating to the [illegible] aged of your children, and the dates [illegible] from the [illegible] and the same will be [illegible] for [illegible] in the [illegible] of the [illegible] Sarah, Sophia, Mary, [illegible] and [illegible] as the [illegible]

Respectfully,

[illegible]

W.O.B.

REFER IN REPLY TO THE FOLLOWING

22-3-158.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, August 4, 1905.

Annie Ward,

Nelson, Indian Territory.

Dear Madam:

In the matter of the application for the enrollment of your children, Lewis, Dollie, Mary, Arthur, Henry and Walter Ward as Choctaw Freedmen, it does not sufficiently appear from the present record that these children are, in fact, the children of Abe Ward through whom they claim their right to enrollment.

It will therefore be necessary for you to appear in person at this office, together with witnesses by whom it can be established that the applicants are the children of said Abe Ward. If you have, or can secure, the original or a certified copy of your certificate of marriage to Abe Ward, you should bring such original or certified copy with you. If you cannot do this, then the fact that you were married to him must be established by the testimony of two or more witnesses who know of their own knowledge that you were married to him. You must also present witnesses by whose testimony it can be shown that the applicants are his children and were always so recognized by him during his lifetime.

You will please give this matter your immediate at-

2-A.W.

tention as, until the evidence above requested is furnished, nothing can be done with the application for the enrollment of these children, and unless the evidence is furnished within a very short time, the application will be [illegible] present record which, as above stated, fails to show that they are entitled to enrollment.

Respectfully,

Commissioner.

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REFER IN REPLY TO THE FOLLOWING

17-D-158

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, December 6, 1905.

Annie Ward,

Nelson, Indian Territory.

Dear Madam:

In the matter of the application for the enrollment of your children, Lewis, Dellie, Mary, Arthur, Henry and Walter Ward as Choctaw Freedmen, you were notified by this office on August 4, 1905 that it did not sufficiently appear from the present record that these children are in fact the children of Abe Ward, through whom they claim their right to enrollment, and that it was necessary for you to appear in person at this office at Muskogee, Indian Territory, together with witnesses by whom it would be shown that the applicants are the children of said Abe Ward and were always so recognized by him during his lifetime.

As you have not yet complied with that request you are again advised that the matter should receive your early attention, so that the rights of your children may be properly disposed of.

Respectfully,

W. O. Beck

Acting Commissioner.

[illegible]

Muskogee, Indian Territory, January 13, 1906.

[illegible]

[illegible]

[illegible]

[illegible] January [illegible], 1906, [illegible] secretary of the Interior was sent to him referred to this office for consideration and appropriate action. Therein you set it forth that [illegible] were informed as that situation of allotment and he made it their [illegible].

[illegible] to your letter you are advised that no action has [illegible] in the matter of the application for the enrollment of [illegible], Lelia, Mary Arthur, Henry and Walter Ware, children of [illegible] and [illegible] Ware, [illegible] Freedmen and on December 6, 1905, you were informed that it would be necessary for you to appear at this office together with witnesses by whom it could be established [illegible] the children and the husband were so recognized by him during his life time; no such appearance has yet been made. [illegible] introduced no action can be taken on the [illegible] of your children above named.

[illegible] notice of the time of taking [illegible] will be served upon the attorneys for the [illegible].

Respectfully,

[illegible]

Muskogee, Indian Territory, September 7, 1906.

[illegible]

[illegible] Commissioner,

[illegible]

Receipt is hereby acknowledged of your letter of August 30, 1906, requesting to be advised as to the status of the application for the enrollment of Willie, Mary, Arthur, Henry and Walter [illegible] as Choctaw freedmen.

Relative thereto you are advised that the same is now receiving consideration, and as soon as action is taken thereon, you will be notified.

Respectfully,

Acting Commissioner.

RECEIVED FEB 27 1907

RECORD FORWARDED

RECEIVED BY MAR - 1907
INTERIOR.

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. APR 1 1907

APR 1 1907

Choc FR D-159 Perry Etter

Returned may 19 1905

D-159

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. August 22, 1902.

In the matter of the application for enrollment as a Choctaw freedman of Etter Perry and her three minor children, Johnnie Hopper, Ezekiel Burris and Calvin Perry,

Etter Perry being duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Etter Perry (E-t-t-e-r.
Q How old are you? A Thirty one years old.
Q What is your post office address? A Nelson.
Q Is that in the Choctaw Nation, Indian Territory? A Yes sir.
Q How long have you lived in the Indian Territory? A I was born and raised here.
Q And you always lived in the Indian Territory? A Yes sir.
Q What is the name of your father? A John Hopper.
Q Was he a Choctaw Freedman? A [illegible] sir; he was a white man.
Q Is he living? A No sir.
Q He was a citizen of the United States? A Yes sir he was.
Q What was the name of your mother? A Levissy Bacon.
Q Is she living? A No sir.
Q Was she a Freedman? A She was sold to Texas; so she always teached me; I was born since freedom.
Q Where did your mother die? A Eagle County.
Q Whose slave was she? A Mary Gore's.
Q Mary Gores living? A No sir, she is dead.
Q Was she a citizen by blood of the Choctaw Nation? A Yes sir; this Mary Gores was old man Billy Smallwood's mother; I know he is on the roll here.
Q You have been married three times? A Yes sir.
Q What was the name of your first husband? A Sam Burris.
Q Is he living or dead? A I don't know sir; I haven't heard not seen nothing of him now for eleven years.
Q Were you and he divorced? A Yes, he divorced and married again.
Q Who was the father of Johnnie Hopper? A Was a Joe Hopper.
Q [illegible] your husband? A [illegible]
Q This child was born then out of wedlock? A Yes sir.
Q Who was the father of Calvin Perry? A John Perry.
Q Were you the lawful wife of John Perry at the time Calvin Perry was born? A No sir.
Q So that Calvin Perry was born out of wedlock also? A Yes sir.
Q You are now the lawful wife of John Perry? A Yes sir.
Q Was he- is he a Choctaw Freedman? A Yes sir.
Q When were you married to him? A Its been about three years now. The 19th day of last March was three years.
Q Have you got your marriage license and certificate? A Yes sir.

There is offered in evidence, marked Exhibit "A" filed and made apart of the records in this case the certificate of marriage between John Perry of Kiamichi County, Choctaw Nation, and Eter Riley of the same County; signed Rev. W.E. Gibson, Minister of the Gospel.

Q After Sam Burris was divorced from you were you married to another man than John Perry? A Henderson Riley.
Q What became of Henderson Riley? A I don't know what became of him; the last I heard of him he was married again and was in Texas.
Q Were you and he divorced? A Yes, he got the divorce.
Q Was Sam Burris the father of Ezekiel Burris? A Yes sir.
Q Was he a Choctaw citizen? A yes sir.
Q A Choctaw Freedman? A Yes sir.
Q When were you married to Sam Burris? A I don't know sir; Its been-
Q Were you married by a minister of the Gospel or an officer of the Choctaw Nation? A Officer.
Q What was his name? A I don't know sir.
Q Whereabouts were you married? A Eagle County.
Q Was it a County Clerk or Judge or who? A Judge I reckon.
Q You have no evidence of your marriage to Sam Burris? A No sir.
Q How long did you live with Sam Burris? A About a year.
Q Were you and he divorced? A He divorced and married again, the last I heard of him.
Q Whereabouts does he now live? A In Eagle County, I think.
Q Were you and he living together as man and wife at the time Ezekiel Burris was born? A Yes sir.
Q Since your marriage to John Perry you and he have been living together as man and wife? A Yes sir.
Q Have you ever been divorced from him or separated? A No sir.
Q Are these children for whom you make application living with you? A Yes, and we have one lawful one dead by John Perry.

Applicant excused and Angeline Colbert called; and being sworn as a witness testified as follows:

Q What is your name? A Angeline Colbert.
Q How old are you Angeline? A Well sir, I don't know my age at all; when I registered down at Goodland as near as they guessed at it they said I was about 63 or 64.
Q You are about 67 now? A Yes sir.
Q You are a Choctaw Freedman enrolled as such? A Yes sir; I was raised right in the Choctaw Nation.
Q Whose slave was you; who did you belong to? A Malsey Colbert, a woman who never was married.
Q Do you know Etter Perry, the wife of John Perry? A Well, I didn't know her tillshe come up in our country here about three or four years ago.
Q Is that the first time you ever knew her? A Yes sir.
Q Did you know her mother? A Well, I knowed the woman well who claimed to be her mother.
Q You knew the woman that she claimed was her mother? A Well, I knowed her well; we was girls together.
Q You don't know that she is a daughter of this woman? A I can('t swear it.
Q What was her mother's name? A Levisey Leflore we always called her; but she goes by Etter's name.
Q Did you ever knew a woman by the name of Levisey Beams? A No sir, I never knowed her; we always called her Levisey Leflore, cause Leflores raised her.
Q Do you know where Etter Perry was born? A No sir.
Q How long did you say you had known her? A About four years I guess.
Q Do you know Sam Burris? A No sir I didn't know him.

Q Do you know the present husband of Ester Perry, John Perry?
A Yes sir.
Q How long have you known him? A Ever since he was a child.
Q Lavisey Leflore the Ester Perry claims was her mother is dead?
A Yes sir.
Q How long ago did she die? A I never knowed she was dead until I came up here in her country.
Q Where did you live when you knew Lavisey Leflore? A Right in Kiamichi County, there right near Nelson, about five miles.
Q Is she about the same age as yourself? A Yes, sir; I think she was.
Q Was she ever married that you know? A Well I will tell you all I knows about Lavisey she was a old over where we live in Texas as a girl.
Q How old was Lavisey at the time she was sold to this party in Texas? A I can't tell you.
Q Was it before the War? A Yes, sir.
Q Have you ever seen Lavisey since the War? A No, sir; I have never seen her since she was a child.
Q Do you know she was sold to a Texas party prior to the War? A Yes, sir.
Q How long before the War? A About six years before the War, as near as well as I can tell it.
Q You never knew whether Lavisey Leflore was married or not? A No, sir; I never heard of it; I never heard of her since till Ester came.

Henry G. Haines being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings had in the above entitled cause on August 25, 1902, and that the foregoing is a full true and correct transcript of his stenographic notes in said cause on said date of August 1902.

Henry G. Haines.

Subscribed and sworn to before me this 25 day of August 1902.

Bruce C. Jones
Notary Public.

Know all Men by These Presents, that I, W. E. Gipson, a Minister of the Gospel in the Cumberland Presbyterian Church, have this the 19 day of March 1900, joined in the Holy Estate of Matrimony, Mr. John Perry of Kiamesha County, the Choctaw Nation and Mrs. Peter Riley of Kiamesha County, the Choctaw Nation.

Rev. W.E. Gibson C.P.C.
Minister of the Gospel.

12746.

(Endorsed) Exhibit A

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
AUG 23 1902
Tams Bixby Acting Chairman.

Choctaw Freedmen
D

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation of Calvin Perry (Col.), born on the 13th day of March, 1898.

Name of Father: John Perry (Col), a citizen of the Choctaw Nation.

Name of Mother: Etta Perry (Col), a citizen of the United States.

Postoffice, Nelson I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
Indian Territory)
)
Antlers Div. Central District.)

I, Etta Perry, on oath state that I am 30 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of John Perry, who is a citizen, by birth, of the Choctaw Nation; that a male child was born to me on the 15th day of March, 1898; that said child has been named Calvin Perry, and is now living.

Etter Perry.

Witnesses to Mark:

(Must be Two) (_____
(Witnesses?) (_____

Subscribed and sworn to before me this 26th day of August, 1901.

E. A. Brown,
Notary Public,
Central Dist.

My Commission expires Apr. 16, 1902.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,)
Indian Territory,)
)
Antlers Div. Central District.)

I, Esther Fisher, a Midwife, on oath state that I attended on Mrs. Etta Perry, wife of John Perry, on the 13th day of March, 1898; that there was born to her on said date a Male child; that said Child is now living and is said to have been named Calvin Perry.

Easter Fisher

Witnesses to Mark:

(Must be two) (
(Witnesses.) (_____
(
(_____

Subscribed and sworn to before me this 26th day of August, 1901.

E. A. Brown,
Notary Public,
Central Dist.

My Commission expires April 16, 1902.

(Endorsed) 12746
IN RE

Application for Enrollment of

INFANT CHILD

Calvin Perry

as a Choctaw Freedman

Approved DEC 9 1902

Tams Bixby
Commissioner.

(Endorsed) DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 9 1902
Tams Bixby Acting Chairman.

hoctaw Freedman
D # 159.

226

17[illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment of Ester Perry and her minor children as Cherokee Freedmen.

--: D E C I S I O N :--

It appears from the record herein that on August 23, 1902, application was made to this Commission for the enrollment of Ester Perry and her minor children, Johnnie Hopper, sixteen years of age, Rachel Harris, twelve years of age, and Calvin Perry, four years of age, as Cherokee Freedmen.

It further appears from the record herein that the said Ester Perry was born about the year 1871, and claims the right to enrollment as a Cherokee Freedman through her mother, one Levicy [illegible] that the said Johnnie Hopper, Rachel Harris and Calvin Perry are the minor children of the said Ester Perry.

[illegible] from the record herein that the said [illegible] of the slaves of the Sac of the Rebellion.

It is, therefore, the opinion of this Commission that Ester Perry, Johnnie Hopper, Rachel Harris and Calvin Perry are not entitled to be enrolled as Cherokee Freedmen, and that the applications for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898, (30 Stat. 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

C. R. Breckinridge
Commissioner.

Muskogee, Indian Territory,
MAY 19 1905

14-D-159

Muskogee, Indian Territory, May 19, 1898.

COPY

[illegible]

[illegible], Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 19, 1898, rejecting the application for the enrollment of yourself and [illegible] Harper, Rachel Harris and Calvin Perry, as Freedmen.

The evidence, with the record of proceedings in the case, is duly transmitted to the Secretary of the Interior for [illegible]. The final decision of the Secretary will be made [illegible] of the case.

Respectfully,

SIGNED

Tams Bixby

Chairman.

17-D-189

Muskogee, Indian Territory, May 19, 1905.

COPY

[illegible], Moseley & Gordon,
Attorneys for Choctaw and Chickasaw Nations,
[illegible], Indian Territory,

Gentlemen:

[illegible] you will find a copy of the testimony [illegible] May 19, 1905, during the application [illegible] of Oscar Perry, Jackie Hopper, Amariel Harris [illegible] Perry as Choctaw freedmen.

The [illegible] of proceedings [illegible] the testimony [illegible] for re- [illegible] of the testimony [illegible] in [illegible] the [illegible] of the [illegible].

Respectfully,

SIGNED Tams Bixby

Chairman.

Inl. 19-D-189.

Muskogee, Indian Territory, May 19, 1905.

The Honorable,

The Secretary of the Interior.

COPY.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Elbe Perry, Johnnie Perry, Mandel Harris and Calvin Perry as Choctaw freedmen, including the testimony in the proceeding, dated May 19, 1905, entered and application.

Respectfully,

SIGNED: Tams Bixby

Commissioner.

Encl. 17-D-186.

Decision.

(copy)

DEPARTMENT OF THE INTERIOR,

WASHINGTON,

I.T.D. [illegible] June 19, 1906.

L.M.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

May 19, 1906, you transmitted the record in the matter of the application for the enrollment of Peter Perry, Minnie Hopkins, Mandel Perry and Walter Perry, as Cherokee freedmen, including your decision of the same date, denying said applications.

Reporting May 28, 1906, the Indian Office recommends that your decision be approved. A copy of the letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby approved.

Respectfully,

E. A. Hitchcock,

Secretary.

2 inclosure.

[illegible]

[illegible] Commission of [illegible]

[illegible]

Office of Indian Affairs

Washington, [illegible]

The Honorable,

The Secretary of the Interior.

[illegible]

[illegible] to making a report from the Commission dated May 13, 1908, transmitting the record of the application for enrollment as Indian [illegible] by Oliver Perry [illegible] herself and [illegible] children, Thomas Edgar, Randol Harris and [illegible].

May 13, 1908, the Commission rejected enrollment to all the applicants.

The record shows that Oliver Perry was [illegible] and [illegible] in [illegible] by [illegible] Perry [illegible] the children of [illegible] [illegible] not the [illegible] and [illegible] children during or [illegible] the close of the war of the rebellion.

[illegible] of the Commission's decision [illegible] the application of [illegible]

Very respectfully,

[illegible]

[illegible]

17-D-159

Muskogee, Indian Territory, June 28, 1905.

COPY.

Ester Perry,

Nelson, Indian Territory,

Dear Madam:

You are hereby notified that the Secretary of the Interior under date of June 19, 1905, affirmed the decision of this Commission, dated May 19, 1905, denying the application for the enrollment of yourself and children, Johnnie Nopper, Ezekiel Durris and Calvin Perry as Choctaw freedmen.

Respectfully,

SIGNED Tams Bixby

Chairman.

17-D-159

Muskogee, Indian Territory, June 28, 1905.

COPY.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of June 29, 1905, affirmed the decision of this Commission, dated May 19, 1905, denying the application for the enrollment of Etter Perry, Johnnie Hopper, Ezekiel Burris and Calvin Perry as Choctaw freedmen.

Respectfully,

SIGNED Tams Bixby

Chairman.

Feb 26 - 96 Nelson I. T.

Hon Dawes Commission Muskogee, I. T.

Your Hon sir please write me concerning my child, one Calvin Perry, Choctaw Freedman his application was made at Nelson I. T. by a notary Republic one T. A. Brown and his right has never been determine yet and if the same has not been acted on his case yet please let me know I am his Father and are a Choctaw Freedman, and can make my appearance at Muskogee before the comm'n with evidence concerning the affair your Hon sir this child Calvin Perry is my child and has the child in control now and making it support and it has a right an allotment of 40 acres of the land of the Choctaw Nation so please Notify me as what to do I has made application for a enrollment and on the account of his mother boy the child is mind and I want it on the roll with me please let me here from the few lines.

Your's friend

John Perry Choctaw

Freedom Enrollment No. 1171.

Muskogee, Indian Territory, January 25, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

May 19, 1905, the Commission to the Five Civilized Tribes transmitted the record in the matter of the application of Esther Perry for the enrollment of herself and her children as Choctaw freedmen, together with the decision of that date refusing said application, and on June 19, 1905, (I.T.D. 6212-1906) this action was approved by the Secretary of the Interior.

It appears from the records of this office that Calvin Perry who is included in this case is the son of John Perry, whose name appears at No. 1171 upon the approved roll of Choctaw freedmen and that said child was born prior to the marriage of his parents.

I now have the honor to transmit herewith for the consideration of the Department a letter of John Perry of December 26, 1906, requesting to be allowed to produce proof to establish the right of his child Calvin Perry to enrollment as a Choctaw freedman.

Respectfully,

Commissioner.

J. P.

DEPARTMENT OF THE INTERIOR,

WASHINGTON. S.P.

D. C. 9641-1907.
I.T.D. 5215-1907. February 15, 1907.

L. R. S.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

The Department is in receipt of your letter of January 25, 1907, transmitting a letter of John Perry, dated Nelson, Ind. T., December 26, 1906, requesting to be allowed to produce proof to establish the right of his child, Calvin Perry, to enrolment as a Chickasaw freedman.

You will advise the party that the Department finds nothing in his letter which would warrant favorable action.

A copy of Indian Office letter of February 13, 1907, submitting your report and recommending that the request be denied, is inclosed.

A copy of this letter and the papers submitted by the Indian Office have been sent to it.

Respectfully,

Thos Ryan,

First Assistant Secretary.

1 inc. and
5 to Ind. Of.

A. F. Mc.
2-16-07.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

Land.
47136-1905.
9484-1907.

WASHINGTON, February 13, 1907.

COPY

The Honorable,

The Secretary of the Interior,

Sir:

Referring to Departmental letter of June 19, 1903 (I.T.D.6212-1905), affirming the decision of the Commission to the Five Civilized Tribes and denying an application for the enrollment of Etter Perry, Johnnie Hopper, Ezekial Burris, and Calvin Perry as Choctaw freedmen, I have the honor to transmit herewith a communication from the Commissioner to the Five Civilized Tribes, dated January 25, 1907, enclosing, for Departmental consideration, letter of John Perry, dated December 26, 1906, requesting to be allowed to produce proof to establish the right of Calvin Perry to enrollment as a Choctaw freedman.

Construing the letter as a motion to re-open and reconsider, the Office is of the opinion that it should be denied, for the reason that it was not filed within 60 days after April 26, 1906, the date fixed by the Act of that date (34 Stat.L., 137). Neither does it show any service on the attorneys for the Choctaw Nation, and it is therefore respectfully recommended that the motion be denied.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

EWS-SB

17-D-189.

Muskogee, Indian Territory, March 1, 1907.

John Perry,

Nelson, Indian Territory.

Dear Sir:

You are hereby advised that on February 15, 1907, the Secretary of the Interior denied your request to be allowed to produce proof to establish the right of your child, Calvin Perry, to enrollment as a Chickasaw freedman.

Respectfully,

Commissioner.

17-D-139.

Muskogee, Indian Territory, March 1, 1907.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on February 16, 1907, the Secretary of the Interior denied the request of John Perry to be allowed to produce proof to establish the right of his child, Calvin Perry, to enrollment as a Chickasaw freedman.

Respectfully,

Commissioner.

17-[illegible]
17-D-1[illegible]

Muskogee, Indian Territory, December 29, 1902.

[illegible]

Nelson, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th instant, forwarding a statement of John Perry relative to the citizenship of his wife, Etter Perry, and her minor child.

In reply to your letter you are informed by opinion from our records that Etter Perry and her minor children, [illegible], [illegible] and Calvin Perry have been listed among the doubtful claimants for enrollment as Choctaw Freedmen, but their final rights to such enrollment has not yet been passed upon by this Commission.

As soon as a decision has been reached the applicants will be notified of the action of the Commission in their case.

Very respectfully,

Acting Chairman.

Muskogee, Indian Territory, March 21,1903.

Mrs. Perry,

[illegible]

Receipt is hereby acknowledged of your letter of March 9, [illegible] relative to the enrollment of Etter Perry and her minor children as Cherokee freedmen and inquiring whether a decision has been reached in their cases.

In reply to your letter you are informed that it appears from our records that Etter Perry and her minor children, Jenny Turner, Rachel Burrie, and Calvin Perry, have been listed among the [illegible] claimants to enrollment as Cherokee freedmen, and their fitness to such enrollment has not yet been determined. As soon as a decision has been reached in their case they will [illegible] of the action of the Commission.

Respectfully,

[illegible]

Chairman.

[illegible]

[illegible], Indian Territory, August [illegible]

[illegible]

[illegible] Commission will hold a session at the [illegible] [illegible] Indian Territory, [illegible] Indian Territory [illegible]

[illegible]

[illegible]

[illegible]

17-D-159

Muskogee, Indian Territory, January 9, 1906.

Esther Perry,

Wilson, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 2, 1906, asking what action has been taken in the matter of the application for the enrollment of your wife Ettie Perry.

In reply to your letter you are informed that the Commission has not yet passed upon the application of Esther Perry for the enrollment of herself and her children Jenny Hopper, Muriel Morris and Calvin Perry as Cherokee freedmen.

In order further evidence is necessary to enable the Commission to determine the rights of your wife and her children to enrollment as Cherokee freedmen. You will be duly advised.

In connection with your request there is enclosed herewith blank form for proof of birth of infant children.

Respectfully,

Chairman.

E. G.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] Yukon Territory, [illegible]

[illegible]

[illegible]

[illegible]

Receipt is hereby acknowledged of your letter of February 26, 1908, in which you [illegible] the enrollment of your [illegible] child Dalvin Berry as a Chickasaw freedman.

[illegible] a stenographic [illegible] the [illegible] Berry and Ben Williams, Johnnie [illegible] Berry as Chickasaw freedmen and on June 16, 1908, this action was approved by the Secretary of the Interior.

Respectfully,

[illegible]

Acting Commissioner.

17-D-159

Muskogee, Indian Territory, March 30, 1906.

John Perry,

Kowen, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 18, 1906, relative to the right to enrollment of your son Calvin Perry, in which you state that your child Arthur Perry by the same mother has been enrolled and approved as a Choctaw freedman.

In reply to your letter you are advised that it appears from the records of this office that Calvin Perry was born to Easter Perry two years before her marriage to you and the application for his enrollment as a Choctaw freedman was refused by the Commission to the Five Civilized Tribes May 19, 1905 and this action was approved by the Secretary of the Interior, June 19, 1905. This case is therefore considered closed.

Respectfully,

Acting Commissioner.

Muskogee, Indian Territory, April 12, 1906.

John Perry,

Nelson, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 9, 1906, in which you refer to the right to enrollment of your child Calvin Perry as a Choctaw freedman and ask what steps to take to secure his enrollment.

In reply to your letter you are advised that inasmuch as the Commission to the Five Civilized Tribes rendered its decision refusing the application for the enrollment of this child as a Choctaw freedman May 19, 1905, and this action was approved by the Secretary of the Interior June 19, 1905, if it is desired to have this [illegible] for the purpose of establishing the right of Calvin Perry to enrollment as a Choctaw freedman it will be necessary that formal petition be forwarded the Secretary of the Interior through this office praying for the reopening of the case for the introduction of additional testimony.

Respectfully,

Acting Commissioner.

Commissioner,

Muskogee,

Muskogee, Indian Territory, May 1, 1906.

Indianola,

Nelson, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 24, 1906, asking how to have the enrollment case of your son Calvin Perry reopened.

In reply to your letter you are informed that on April 12, 1906, a letter was forwarded to you advising that if you desired that further testimony be forwarded the Secretary of the Interior or through this office praying for the reopening of the case for the introduction of further testimony. No further information can be given you than that contained in office letter of April 12, 1906, above referred to.

Respectfully,

Commissioner.

17-B 159
17-555

Muskogee, Indian Territory, January 12, 1907.

John Perry,

Nelson, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 28, 1906, inclosing a letter addressed to the Secretary of the Interior requesting to be allowed to produce evidence to show that your son Calvin Perry is entitled to enrollment as a Choctaw freedman.

In compliance with your request your letter has been transmitted to the Secretary of the Interior for consideration.

Respectfully,

J. F.

DEPARTMENT OF THE INTERIOR,

WASHINGTON. S.F.

R. C. 9641-1907.
I.T.D. 3816-1906. February 15, 1907.

M. R. M.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

The Department is in receipt of your letter of January 28, 1907, transmitting a letter of John Perry, dated Nelson, Ind. T., December 26, 1906, requesting to be allowed to produce proof to establish the right of his child, Calvin Perry, to enrolment as a Chickasaw freedman.

You will advise the party that the Department finds nothing in his letter which would warrant favorable action.

A copy of Indian Office letter of February 13, 1907, submitting some papers [illegible]

A copy of this letter and the papers submitted by the Indian Office have been sent to it.

Respectfully,

Thos Ryan,

First Assistant Secretary.

1 inc. and
5 to Ind. Off.

A. T. M.
2-16-07.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

Land.
47138-1905.
9424-1907.

WASHINGTON. February 13, 1907.

COPY

The Honorable,

The Secretary of the Interior,

Sir:

Referring to Departmental letter of June 19, 1905 (I.T.D.8212-1905), affirming the decision of the Commission to the Five Civilized Tribes and denying an application for the enrollment of Etter Perry, Johnnie Hopper, Ezekial Burris, and Calvin Perry as Choctaw freedmen, I have the honor to transmit herewith a communication from the Commissioner to the Five Civilized Tribes, dated January 25, 1907, enclosing, for Departmental consideration, letter of John Perry, dated December 26, 1906, requesting to be allowed to produce proof to establish the right of Calvin Perry to enrollment as a Choctaw freedman.

Construing the letter as a motion to reopen and reconsider, the Office is of the opinion that it should be denied, for the reason that it was not filed within 30 days after June 26, 1906, the date fixed by the act of that date (34 Stat.L., 137). Neither does it show any service on the attorneys for the Choctaw Nation, and it is therefore respectfully recommended that the motion be denied.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

EMS-RS

Dec. 10th 1902

Mr.

I want you to please examin my case and if there is any way by which thee three that I name can be inrold with me please do so and let me know about it my wife Esther Perry Walter Perry is my child by this woman, Ezekiel Beive is the son of Sam Beive by this woman I have maried this woman acordain to the chactaw law and if by law there be any possible chance that she and the children can be inrold please to inrole them all at pressant hoping to hear from you soon

Respectfuly John Perry

Act 30, 1889

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

DEC 23 1902

ACTING CHAIRMAN.

1-5-9

ACTION APPROVED BY
SECRETARY OF INTERIOR.

JUN 1[illegible] 1905

Peter Cherry et al

CHOCTAW FREEDMEN

REFUSED

COPY OF DECISION FORWARDED

FOR[illegible]
AND CHICKASAW NATION

NOTICE OF SECRETARIAL ACTION

Chec FR D-160 Ellis Folsom

received Feb 21, 1902

FR D-160

[illegible]

[illegible]

[illegible]

J.C.Lowry, Attorney for applicant:

Ella Folsom being first duly sworn testified as follows:

Examination by the Commission:

Q What is your age and if A Ella Folsom.

Q [illegible] I don't know

Q What is your post office address? A Down on Red River-- Folsey-- I [illegible]

Q Is that in the Choctaw Nation? A I guess it is; they call it the [illegible]

Q How long have you lived in the Choctaw Nation? A Ever since I could [illegible] out to work sometimes.

Q [illegible] born? A I never did hear them say-- my recollection is [illegible] Red River.

Q [illegible] the Choctaw Nation? A Yes sir.

Q [illegible] name of your mother? A Rose, they said; I never saw her; [illegible] died before I was born.

Q [illegible] name? A Marie Folsom I guess.

Q [illegible] died when I was a child.

Q [illegible] A Yes sir.

Q [illegible]

Q [illegible] down on the Red River,

Q [illegible]

Q [illegible] A Midway.

Q [illegible]

Q. Get any more? A. Yes one more named Rafe Folsom.
Q. How old is he? A. About nine.
Q. Who is the father of these children? A. My husband was the father of them; he was named John Folsom; he belonged to the same family.
Q. How long has John Folsom been dead? A. About I guess eight years.
Q. Was he a slave of a Choctaw Indian? A. Yes he was a slave.
Q. Whose slave was he? A. He belonged to one of the Folsoms brothers; I don't remember his given name; he was a brother of Peter Folsom; we belonged to the same family; there was several brothers but I don't remember the other's given name.
Q. Where were you living during the War? A. Down near Red River.
Q. Did you live there all the while during the War? A. From my remembrance I did.
Q. Where were you when you were freed? A. I was down there.
Q. Did you stay there after you was freed? A. Several years; yes sir.
Q. How many years, do you think? A. I guess four or five.
Q. Did you go out of the Indian Territory within four or five years after freedom? A. No sir.
Q. At the end of the four or five years where did you go to? A. I went to Ft. Smith and worked a few weeks and went back again.
Q. How long did you stay when you came back from Ft. Smith? A. Two or three years.
Q. Where did you go then? A. Little Rock. I stayed five or six weeks.
Q. Where did you go from Little Rock? A. Back down on the Red River.
Q. How long did you stay there? A. Four or five years and then I went over to the Springs for my health and I stayed four or five weeks and come back and have stayed ever since; only going to work and back.
Q. Where were you living in 1898? A. I don't know about the year; you will have to tell me about those dates.
Q. Why have you never made any application before? A. Well, I will tell you; I didn't know how to make none.
Q. Did you always know that the Choctaw Freedmen- or the Choctaw colored people that were slaves of Choctaw Indians had a right to enrollment? A. No sir, I didn't.
Q. When did you first find it out? A. Well, the first of my hearing-- I guess it was two or three years ago; I heard them talking about it.
Q. Well, 1898-- I asked you about that; that is six years ago. A. I was down about Red River.
Q. You were in Red River County at the time Rafe was born? A. Yes sir.
Q. Have you lived in Red River County ever since he was born? A. Yes only I went and work a little while and so.
Q. Did you ever hear anything about the treaty of 1866? A. Treaty?
Q. The treaty was. A. What's treaty?
Q. Did you ever hear anything about that? A. Well, I don't know what a treaty is.
Q. Are your children of yours living with you now? A. Yes sir.
Q. Do you own any land down there? A. No sir. I don't own anything.
Q. Are you claiming to be a Freedman? A. Yes sir.

Examination by Mr. Lyeurs:

Q. Did you ever hear anything about an agreement between the United States and the Indian directly after the War? A. No sir I never heard anything about it; I heard about the fighting that going.

Q You say you live near Rockville, Indian Territory? A Yes sir.
Q You live in the country, don't you? A Yes sir.
Q How far in the country? A I can't tell you how many miles.
Q You very seldom, then, go to town? A Yes very seldom.
Q When was it first informed you that you had a right as a Choctaw freedman? A Well it was a white man was talking about it and was over there and was a peddler; I don't know his name, but he was the guy that told me about it. I told him I was a slave, I didn't have any rights that I knew of but he said I did and if I would come and see about it would find out and I said I would go and do the best I could.
Q Did you do anything, did you do? A Oh, why-- I didn't do anything. I was talking to Brother Tatum and they had been up there and said he said I did and of course I came over here.
Q How long ago was that--that you was talking to Brother Tatum? A I don't remember how long it was.
Q That's all.

Witness is here excused and Anderson Tatum called as a witness, being sworn testified as follows:

Examination by the Commission:

Q What is your name? A Tatum.
Q Full name? A Anderson Tatum.
Q Where do you live? A Sugar District, down in the Cherokee Nation.
Q Are you a Cherokee freedman? A No sir I am not.
Q What are you? A United States citizen.
Q How long have you lived in the Cherokee Nation? A Well I have lived there off and on for thirty some years; first in and out; I didn't live there for that long at such.
Q Did you ever live in the Choctaw Nation? A No sir never lived there; used to work down there some.
Q Do you know the [illegible] Tolson, who makes application today as a freedman? A Yes sir.
Q How long have you known her? A Twenty some odd years.
Q Did you ever hear her mother? A Yes sir; I knowed who was said to be her mother.
Q What was her name? A Maria Tolson.
Q Was she married? A I don't know.
Q Do you know where she first lived? A Down in the Choctaw Nation [illegible] Red River; I met her [illegible]

Q How long did you stay there at that time? A Well, I guess about one month.

Q Then where did you go to? A Into Texas.

Q How long did you stay? A About five or six months.

Q How long after the first time you saw her before you saw her the 2nd time? A Was be seven months; I came back there; then I come back to Ft. Smith.

Q When did you see her next? A At Muskogee.

Q How long ago was that? A I guess eight or ten years ago.

Q What was she doing at Muskogee? A She was down there with an old lady.

Q How long after that was it when you saw her again? A About ten days ago I guess.

Q You didn't see her then for several years until just a day or two ago?

A No sir.

Q Do you know that she belonged to a Choctaw Indian? A That's what was said.

Q Well, I am asking you do you know? A No sir, I can't tell you.

Q You don't know that she was ever a slave of a Choctaw Indian? A No sir.

Q Did you say you knew her mother? A Yes sir.

Q Do you know whether her mother was the slave of a Choctaw Indian or not? A I can't say that, I know; I have heard it.

Q Do you know where Nila Valsen was in 1898 where she was living then?

A No sir; I doubt.

Q Do you know where she was living in 1897? A No sir only what I have heard.

Q In 1897? A No sir; I can't tell exactly what time times was Boss.

Q Well, that's only three or four years ago? A Well, I can't tell exactly where she was at.

Q You don't where she was living in 1899? A No sir.

Q How long have you lived in the Cherokee Nation? A Off and on for [illegible] years.

Q How many times you have lived in any other Nation? A I have lived [illegible] entirely [illegible].

Q How many times you have lived in any other Nation.

Q Have you been living for the last ten years? A Right down in the [illegible] Creek Nation.

Q [illegible] back and forwards.

Q [illegible] in the Cherokee Nation in the laston years? A Yes [illegible] in Muskogee and in Okmulgee along the Lefiore farm.

Q [illegible] children? A No sir.

Q [illegible] one.

Q [illegible] anyone.

[illegible]

17-D-160

Muskogee, Indian Territory, August 19, 1904.

Ella Nelson,

Soapville, Indian Territory.

Dear Madam:

The Commission will hold a session at Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

If you desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to the rights of yourself and children as freedmen of the Choctaw Nation, or you may appear for this purpose before the Commission at its general office, Muskogee, Indian Territory at any time.

Respectfully,

17-D-160

Muskogee, Indian Territory, April 7, 1905.

Ella Folsom,

Doaksville, Indian Territory.

Dear Madam:

In the matter of the application for your enrollment as a Choctaw freedman, you are advised that before disposition may be made of your application, it will be necessary for you to appear in person before the Commission at its office in Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of testifying regarding your right to enrollment as a Choctaw freedman.

Such appearance should be made at the earliest date possible, inasmuch as disposition may be made of your application.

Respectfully,

17-D-160

Muskogee, Indian Territory, November 29, 1906.

Ella Folsom, (Colored),
Care of [illegible],
Stokesville, Indian Territory.

Dear Madam:

In the matter of the application for your enrollment as a Choctaw Freedman, you are advised that before disposition can be made of your application, it will be necessary for you to appear in person before this office at Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of testifying regarding your right to enrollment as a Choctaw Freedman.

Such proceeding should be made at the earliest date possible [illegible] for your application.

[illegible]

[illegible]

Muskogee, Indian Territory, December [illegible], [illegible]

[illegible]

[illegible] Hall [illegible]

[illegible] Indian Territory.

Gentlemen:

Reading [illegible] acknowledgment of your letter of December [illegible], [illegible] that you have been retained to represent the interests of [illegible] Folsom, a deceased citizen of the Cherokee Nation, [illegible] authorized attorneys of record and to be furnished [illegible] testimony in the case.

[illegible] request has been [illegible] there is evidence herewith [illegible] of the [illegible] of the [illegible]

17-D-160
D.C.L.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Ella Folsom, et al., as Choctaw Freedmen.

D E C I S I O N .

It appears from the record herein that on August 29, 1902, Ella Folsom appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of herself and her minor children, George Folsom, Mack Folsom, Florida Folsom, Hamilton Folsom and Rafe Folsom, as Choctaw freedmen.

Although ample opportunity has been afforded said applicants to show by satisfactory evidence that they are entitled to enrollment as Choctaw freedmen they have failed to do so.

I am, therefore, of the opinion that following the ruling of the Department in the cases of Eliza J. Bryant, et al. (I.T.D. 544-1904), William Rector (I.T.D. 1468-1904), Minnie Duncan, et al. (I.T.D. 1470-1904), Samantha Chambers (I.T.D. 2296-1904), Ed William (I.T.D. 4230-1904), Moses Moss (I.T.D. 6056-1904), Florence Bratcher (I.T.D. 12692-1904), and Frankie Grimmett (I.T.D. 17902-1905), the application for the enrollment of Ella Folsom, George Folsom, Mack Folsom, Florida Folsom, Hamilton Folsom and Rafe Folsom, as Choctaw freedmen, should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

FEB 21 1907

27-3-169

COPY

Muskogee, Indian Territory, February 21, 1907.

Ella Folsom,
Boaneville, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 21, 1907, denying the application for your enrollment and the enrollment of George Folsom, Mack Folsom, Florida Folsom, Hamilton Folsom and Rafe Folsom as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Enclosure.
Enrl. 27-3-169.

[illegible]

COPY

Muskogee, Indian Territory, February 21, 1907.

J. G. Sweet,
Attorney-at-Law,
Muskogee, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 21, 1907, denying the application for the enrollment of Nile Folsom, George Folsom, Mack Folsom, Florida Folsom, Hamilton Folsom and Rufe Folsom as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

17-D-160

COPY

Muskogee, Indian Territory, February 21, 1907.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw & Chickasaw nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 21, 1907, denying the application for the enrollment of Nila Folsom, George Folsom, Hugh Folsom, Florida Folsom, Hamilton Folsom and Rafe Folsom as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon thereafter as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Enclosure 17-D-160.

COPY

Muskogee, Indian Territory, February 21, 1907.

The Honorable,

The Secretary of the Interior,

Sir:

There is transmitted herewith record of proceedings in the matter of the application for the enrollment of Ella Folsom, George Folsom, Hank Folsom, Florida Folsom, Emmitt Folsom and Rufe Folsom as Chester freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated February 21, 1907, denying said application.

Respectfully,

SIGNED Tams Bixby

Commissioner.

2 Inc.

[redacted]

[redacted]

DEPARTMENT OF THE INTERIOR,
WASHINGTON,

March 4, 1907.

[redacted]

[redacted]

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw enrollment cases adverse to the applicants are hereby affirmed, viz:

Title of case. Letter of transmittal.

[redacted]

Title of case.		Date of your letter of transmittal.
James H. Law,	(Intermarried)	February 4, 1907.
Bell Serna	(Miss. Shoc.)	February 7, 1907.
David & Mariedell Powell	(Freedmen)	February 7, 1907.
Cassie Blunk	(Freedman)	February 7, 1907.
Gloria & Annie Berry	(Freedman)	February 21, 1907.
Robert Thompson	(Freedman)	February 21, 1907.
Washington & Hester Anthony	(Freedman)	February 21, 1907.
Ann & Emmett Nelson	(Freedman)	February 20, 1907.
Dee Wilson	(Freedman)	February 20, 1907.
Hannah Johnson	(Freedman)	February 16, 1907.
Lavena May Everett	(Miss. Shoc.)	February 23, 1907.
Viola Warrior	(Freedman)	February 21, 1907.
Nila Nelson, et al,	(Freedman)	February 21, 1907.
Edward Adamson	(Freedman)	February 21, 1907.
Allie May & Anna Williams	(Freedmen)	February 21, 1907.
John Ward, et al.		January 23, 1907.
Frank P. Morgan	(Intermarried)	January 24, 1907.
Marion James Robins	(Freedman)	February 21, 1907.
William C. York, et al.		January 16, 1907.
William S. Watters, et al.		February 23, 1907.
Charley Braggs,	(Freedman)	February 21, 1907.
Mattie Marie Stewart, et al.		February 25, 1907.
Robert McCoy	(Freedman)	February 18, 1907.
George Chatman	(Freedman)	February 21, 1907.
Louisa Perry,	(Freedman)	February 19, 1907.
John Albert Fautsky		February 26, 1907.
Nancy F. & Emursey McLarty		February 26, 1907.
Bathes Shecky,		February 26, 1907.
Albert & Ermer Piggee	(Freedmen)	February 26, 1907.
Reling McKinney, et al,	(Freedman)	February 26, 1907.

Copies of Indian Office letters submitting your reports and recommending that the decisions be approved, are inclosed.

A copy hereof and all the papers in the above-mentioned cases have been sent to the Indian Office.

Respectfully,

R. A. Kitchock.

Secretary.

Enc. 38 Cases.
Copy herewith.

Enc.

Sec-07.

Refer in reply to the following, --Copy--

DEPARTMENT OF THE INTERIOR,

LAND
19[illegible]-1907.
D. [illegible]

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is forwarded herewith report of Commissioner Dixon, dated February 21, 1907, relative to the application for the enrollment of Nila, George, Mack, Florida, Hamilton and Mafe Folsom, as Choctaw freedmen, including the decision of the Commissioner of February 21, 1907, denying the application.

The Office examined the record in this case and finds the conclusions of the Commissioner to be correct, and his decision denying the application is recommended for approval.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

ATV-JH

[illegible]-160

Muskogee, Indian Territory, April 15, 1907.

[illegible],

Nashville, Tennessee.

Dear Sir:

[illegible] county, Indian Territory, March 4, 1907, the Secretary of the Interior affirmed the enrollment of the Commission to the Five Civilized Tribes, rendered February [illegible], 1907, [illegible] the enrollment and [illegible] Indian, Jack Johnson, Florida Johnson, [illegible] Johnson and Jack Johnson as Freedmen.

Respectfully,

Commissioner.

[illegible]

[illegible], Indian Territory, April 15, 1907.

J. C. [illegible],

Attorney, [illegible]

[illegible]

Dear Sir:

You are [illegible] that on March 4, 1907, the Secretary of the Interior issued [illegible] decision of the Commissioner of the [illegible] Nations rendered February [illegible] 1907, denying the application for the enrollment of Lil Folsom, George Folsom, Ned Folsom, Martha Folsom, Emmaline Folsom and Mary Folsom as children [illegible].

Respectfully,

[illegible]

[illegible], Indian Territory, April 23, 1908.

[illegible] Gray & [illegible]

[illegible] for [illegible] and [illegible] Folsom.

[illegible] Indian Territory.

Gentlemen:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 2, 1907, denying the application for the enrollment of Ella Folsom, George Folsom, Zack Folsom, Florida Folsom, Hamilton Folsom and Mary Folsom as Choctaw freedmen.

Respectfully,

Commissioner.

W.O.B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
17-D-160

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 7, 1906.

Ella Nelson,

Doaksville, Indian Territory.

Dear Madam:

In the matter of the application for your enrollment as a Choctaw Freedman, you are advised that before disposition can be made of your application, it will be necessary for you to appear in person before the Commission at its office in Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of testifying regarding your right to enrollment as a Choctaw Freedman.

Such appearance should be made at the earliest date possible, in order that disposition may be made of your application.

Respectfully,

Commissioner in Charge.

REFER IN REPLY TO THE FOLLOWING:
17-D-150

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 29, 1905.

Ella Folsom, (Colored),
Care of Postmaster,
Doaksville, Indian Territory.

Dear Madam:

In the matter of the application for your enrollment as a Choctaw Freedman, you are advised that before disposition can be made of your application, it will be necessary for you to appear in person before this office at Muskogee, Indian Territory, together with such witnesses as you may be able to procure for the purpose of testifying regarding your right to enrollment as a Choctaw Freedman.

Such appearance should be made at the earliest date possible, in order that disposition may be made of your application.

Respectfully,

Geo. D. Rodgers
Acting Commissioner.

17-D-160

Received of the Commissioner to the Five Civilized Tribes one copy of the testimony of Ella Folsom of August 29, 1902, in the matter of the application for the enrollment of herself and her children as Choctaw freedmen.

Muskogee, Indian Territory,
December 11, 1906.

E/91-11

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Write and ask Shoen-
felt to return this

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Department of the Interior
RECEIVED
MAR 2 1907
No. 1 of No. 7552
Indian Territory Division

Choc Fr

D-160

--Copy--

REFER IN REPLY TO THE FOLLOWING:

LAND
19638-1907

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is forwarded herewith report of Commissioner Bixby, dated February 21, 1907, relative to the application for the enrollment of Ella, George, Mack, Florida, Hamilton and Rafe Folsom, as Choctaw freedmen, including the decision of the Commissioner of February 21, 1907, denying the application.

The Office has examined the record in this case and finds the conclusions of the Commissioner to be correct, and his decision denying the application is recommended for approval.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

AJW-EH

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

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Ella Folsom,
Ft Towson
~~Doaksville~~, Indian Territory:

24

MUSKOGEE, IND. T.
APR
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1907
REG. DIV.

REFER IN REPLY TO THE FOLLOWING:

17-D-160

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 21, 1907.

Ella Folsom,

Doaksville, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 21, 1907, denying the application for your enrollment and the enrollment of George Folsom, Mack Folsom, Florida Folsom, Hamilton Folsom and Rafe Folsom as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.
Refer 17-D-164.

Department of the Interior.

~~Commissioner to the Five Civilized Tribes,~~

MUSKOGEE, IND. TER.

2nd NO
3rd

24221

Returned to Writer.

MUSKOGEE, IND. T.
FEB 25 '17

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

J. C. Lowery,

Muskogee, Indian Territory.

REFER IN REPLY TO THE FOLLOWING

17-D-160

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

90

Muskogee, Indian Territory, February 21, 1907.

J. C. Lowery,
Attorney-at-law,
Muskogee, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 21, 1907, denying the application for the enrollment of Ella Folsom, George Folsom, Mack Folsom, Florida Folsom, Hamilton Folsom and Rafe Folsom as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.
Inst. 17-D-160.

EFUSED. FEB 21 1907

RECORD FORWARDED DEPARTMENT.

FEB 21 1907

ACTION APPROVED BY
SECRETARY OF INTERIOR. APR - 4 19

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. APR 15 19

NOTICE OF [illegible] ACTION
FORWARDED [illegible] FOR APPLICANT. APR 15 19

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT. APR 15 1907

[illegible]

[illegible]

[illegible]

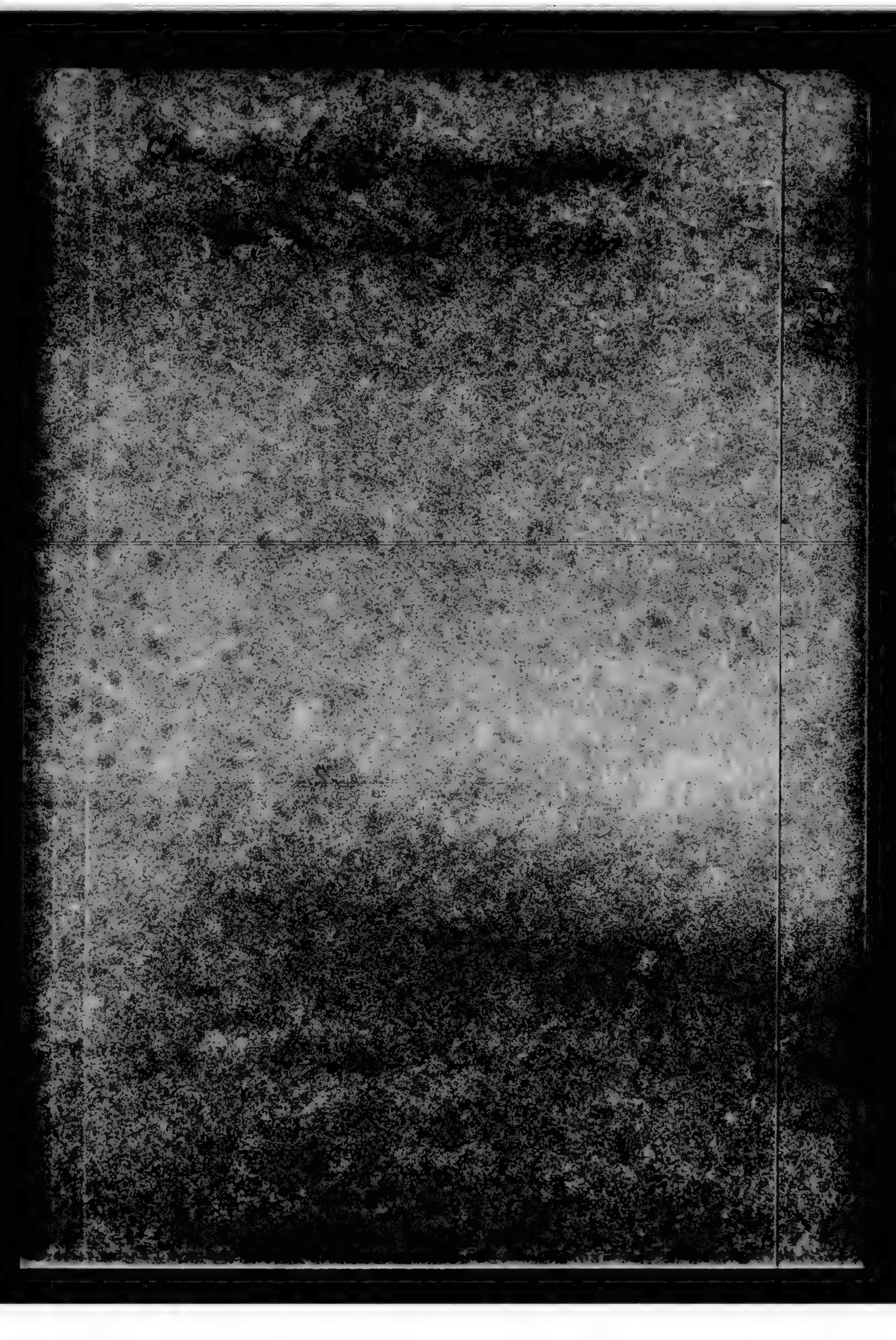
[illegible]

Trans to Dec 28, 1894 - June 13, 1905

Doc ER D/42 Bogue Barter

record from 70 Doc ER card 1083

D/42



Choc FR D-165 Ella West

Trans to 17-1562 Jan 2, 1907

FR D-165

Choc-FR D-166 [illegible]

Granted

Trans to Choc FR Card 1573

Feb 19 1907

FR D-166

Doc FR D-167 Effie Cochran

Forwarded

Inserted trans to Doc FR 15,

May 27, 1945

FR D-167

FR D-168

Choc FR D-169 Robert Townsend

FR D-169

170169

17-[illegible]

Muskogee, Indian Territory, November 27, 1905.

Charles H. McSherran,

Sudde, Indian Territory.

Dear Sir:

On February 23, 1905 you advised this office that you were the attorney for Emily Fields and her descendants, who are applicants for enrollment as Choctaw Freedmen. On March 1, 1905 a letter was addressed to you, asking for certain evidence relative to the enrollment of said Emily Fields and her descendants.

No response has been received at this office in reply to said request. You are now advised that in case you represent the parties above mentioned it will be necessary that additional evidence should be furnished in the matter of the enrollment of said parties. Evidence is requested with respect to the ownership of Emily Fields at the close of the war, the residence of herself and descendants up to and including September 26, 1902.

You should give this matter your prompt attention. If you do not at present represent them you will please inform this office to that effect.

17-D-169

Muskogee, Indian Territory, March 5, 1906.

Robert Tempest,

Cadiz, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Cherokee freedmen with which case the application for your enrollment as a Cherokee freedman has been consolidated.

Respectfully,

Acting Commissioner.

Department of the Interior,
Commission to the Five Civilized Tribes.
Atoka, Ind. Ter., Nov. [illegible], 1902.

Original
Chickasaw
Freedman.

In the matter of the application of Robert Townsend for enrollment as a freedman of the Chickasaw Nation.

Robert Townsend, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

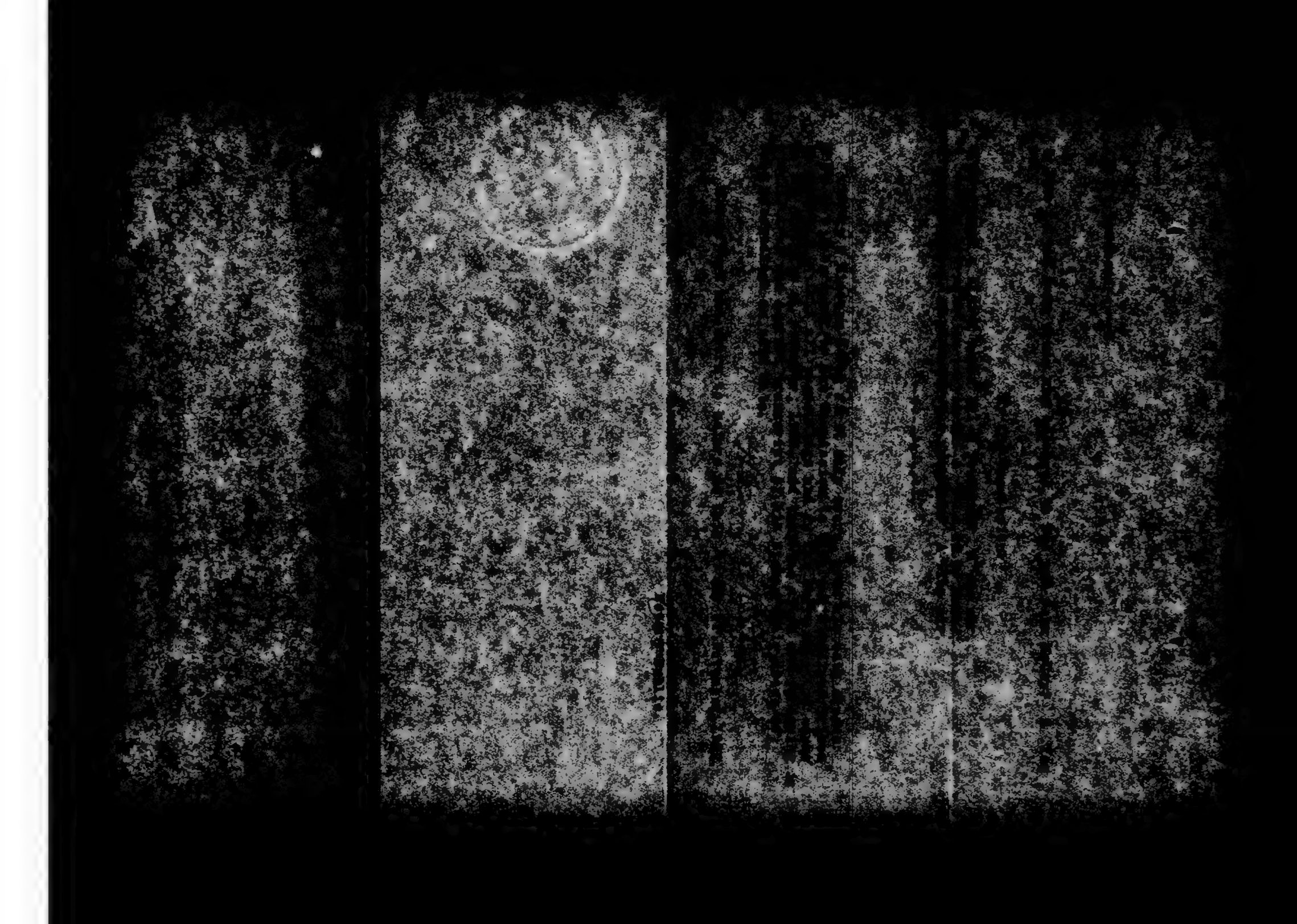
Q What is your name? A Robert Townsend.
Q Are you sometimes known as Buck Townsend? A Yes sir.
Q How old are you? A Twenty three.
Q What is your post office address? A Caddo, Indian Territory.
Q How long have you been a resident of the Chickasaw Nation? A Ever since I was born.
Q Are you living all your life? A Yes sir.
Q Are you an applicant in the Chickasaw Nation as a freedman? A Yes sir.
Q What is the name of your father? A Buck Townsend.
Q Is he living? A Yes sir.
Q What was the name of your mother? A Joanna McDonald.
Q Is she living? A No sir.
Q Were both of your parents colored people? A Yes sir.
Q Were both of them slaves? A My mother was a slave to a Choctaw. I don't know about my father, he was a free citizen.
Q What was the name of your mother's owner? A The McCoys.
Q They were the family that owned your mother? A Yes sir.
Q Were they Choctaw Indians? A I don't know whether they were Choctaws or Chickasaws, I think they were Chickasaws.
Q They were Indians? A Yes sir.
Q Where did they live during the war? A In Stanislaw County, down in Texas somewhere.
Q Did you ever previously make application before this Commission for enrollment as a freedman of the Chickasaw Nation? A Yes sir.
Q Where did you live during the war? A I don't know.
Q Do you know where the parents lived when the slaves were freed? A No sir, I don't know.

[illegible]

Q [illegible] time did you go to enrolled as a Chickasaw freedman? A [illegible]
Q [illegible] your husband? A Yes sir.
Q [illegible] married? A [illegible]
Q [illegible] your name? A Phoebe Townsend.
Q [illegible] A Yes sir.
Q [illegible] A Chickasaw.

[illegible]

Q Where your husband living? A Yes sir, [illegible]



DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Emily Fields, et al., as Choctaw freedmen, consolidating the applications of

Emily Fields	17 D	125
Joanna McDonald, et al.	17 D	79
Robert Townsend	17 D	140
Vinsy Hall, et al.	17 D	178
Evaline Bryant, et al.	17 D	[illegible]
Jim Townsend	17 D	[illegible]
Sidney Fields, et al.	17 D	[illegible]
Edna Perry	17 D	[illegible]
Sterling Williams, et al.	17 D	[illegible]
Charley Fields, et al.	17 D	[illegible]
Madison Fields, et al.	17 D	84
Alexander Fields	17 D	[illegible]
Horace Fields	17 D	[illegible]
Mary Belvin	17 D	[illegible]

D E C I S I O N.

It appears from the census card records in this case that on August 24, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Emily Fields as a Choctaw freedman; that on June 11, 1900, applications were made to said Commission for enrollment as Choctaw freedmen by Joanna McDonald for her child and her four minor children, Fanny, Lennie, Parkins and Cleveland McDonald; by Evaline Bryant for herself and her five minor children, Oscar Osborne and Lenny Bryant; by Jim Townsend for himself; by Sidney Fields for himself and his five minor children, Mary, Carrie, Robert, [illegible] and Mary Fields; by Edna Perry [illegible] and by Sterling Williams for himself and his [illegible] Lewis and Virdie Williams; that on June 12, 1900, [illegible] made by Charley Fields for the enrollment of himself and his two minor children, Clifton and Willy Fields; by Madison Fields for himself and his minor child, Emma Fields; by Alexander Fields for himself and by Horace Fields for himself as Choctaw freedmen; that on November 20, 1902, application was made by Robert Townsend for the enrollment of himself; that on November 21, 1902, application was made by Vinsy Hall for the enrollment of herself and her minor children, Sidney and Silas, Ed and Virgie Stevens; and that on August 21, 1905, application was made by Mary Belvin for the enrollment of herself as a Choctaw freedman.

It appears from the records in the possession of this office that Virdie Williams, minor applicant in 17 D 84, has before been enrolled as a Choctaw freedman, her name (as Odessa Williams) appearing as number 3430 upon a list prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), of persons entitled to enrollment as Choctaw freedmen, and approved by the Secretary of the Interior September 25, 1905.

It further appears from the records herein and from the census card records in this case that the applicants [illegible] Horace Fields, Alexander Fields, Madison Fields, Charley [illegible] were parts of the families of the applicant, Emily Fields, [illegible]

Charley Fields, and Biddy Fields, a non-citizen; that Lewis Williams is the son of the applicant, Sterling Williams, and Mattie Williams, a non-citizen; that Fanny, Lennie, Paralee and Cleveland McDonald and Viney Hall are the children of the applicant, Joanna McDonald, and Andy McDonald, a non-citizen; that Robert Townsend is the son of the applicant, Joanna McDonald, and Isom Townsend, a non-citizen; that Ed and Virgie Stevens are the children of Hill Stevens, a non-citizen, and Lou Stevens (now deceased, and born subsequent to the war), who was the daughter of the applicant, Joanna McDonald, and Andy McDonald, above mentioned; that Eveline Bryant is the daughter of the applicant, Joanna McDonald, and John Williams, a non-citizen; that Oscar Osborne is the son of said Eveline Bryant and Cornelius Osborne, a non-citizen; that Leroy Bryant is the son of Eveline Bryant and Russell Bryant, a non-citizen; that Jim Townsend is the son of Isom Townsend, a non-citizen, and Ellen Townsend (now deceased); and that Clara, Carrie, Ephriam, Wilburn and Mary Fields are the children of the applicant, Sidney Fields, and Mattie Fields, a non-citizen.

It further appears from the record herein that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Emma Fields, Charley Fields, Clifton Fields, Willy Fields, Sterling Williams, Lewis Williams, Rena Paris and Robert Townsend, were born subsequent to the war of the rebellion, and claim their right to enrollment as Choctaw freedmen by reason of being descendants of the principal applicant, Emily Fields; that the applicants, Fanny McDonald, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Viney Hall, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, and Leroy Bryant, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Joanna McDonald; that Jim Townsend claims his right to enrollment by reason of being a descendant of Ellen Townsend, and that Clara, Carrie, Ephriam, Wilburn and Mary Fields, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Sidney Fields.

It is alleged that said Emily Fields, Sidney Fields, Joanna McDonald and Ellen Townsend (now deceased), who were born prior to the war of the rebellion, were the slaves of Dock (or John) and Clark McCoy, during and at the close of the war of the rebellion.

The preponderance of the evidence, however, shows that the persons above mentioned, were, during and at the close of the war of the rebellion, the slaves of a white man, and resided in the state of Texas at the date of the treaty of Fort Smith.

The record herein further shows that the applicants, Joanna McDonald and Fanny McDonald, died prior to September 25, 1902.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that the applicants, Emily Fields, Sidney Fields, Clara Fields, Rena Paris and Sterling Williams, are identified upon the 1885 Choctaw freedmen census roll, Blue County, numbers 1154, 1163, 1164, 1165 and 1166 respectively. The applicants, Emily Fields, Charley Fields and Madison Fields, are identified upon the 1896 Choctaw freedmen census roll, Blue County, numbers 1452, 1451 and 1441, respectively.

I am, therefore, of the opinion that the applications for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Hall, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephriam Fields, Wilburn

NOV 10 1906

17-D-162 et al

Muskogee, Indian Territory, July 10, 1906.

COPY

Robert Townsend,

Sulphur, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying your application for enrollment as a Choctaw freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED
Tams Bixby
Commissioner.

Enclosure.

In re: [illegible] et al.

17-D-183 et al

Muskogee, Indian Territory, July 10, 1906.

Copy

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nation,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of Mary Belvin, Sterling Williams, Lewis Williams, Rosa Paris, Eveline Bryant Spencer Osborne, Lizzie Bryant, Jim Townsend, Robert Townsend, Vinsy Emil, Ed Thompson, Virgie Stevens, Lennie McDonald, Parules McDonald, Spencer McDonald, Emily, Bryan, Alexander, Madison, Henry, Charley, Clifton, Willy, Sidney, Clara, Carrie, Ephraim, William and Mary Vickers, and dismissing the applications for the enrollment of Spencer McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is being forwarded to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby
Commissioner.

Inclo. 1 decision et al.

17-[illegible] et al.

Muskogee, Indian Territory, July 20, 1904.

Copy

Charles E. McSherry,

Attorney at Law,

Sulphur, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 18, 1904, denying the application for the enrollment of Mary McGirk, Douglas Williams, Lewis Williams, Rose Byrd, Nellie Bryant, Calvin Johnson, Leroy Bryant, Jim Hammond, Robert Hammond, Vinny Hall, [illegible] Fleming, Virgie Stewart, Lucile Johnson, Lorine McGirk, Cleveland McGirk, Emily, Marion, [illegible], Jesse, [illegible], Gibson, Willy, Sidney, Clara, [illegible], [illegible] and disclosing the continuance for the enrollment of Frank McGirk and Tony McGirk as Choctaw freedmen.

You therein, with the notice of [illegible] the [illegible] authority vested in the Secretary of [illegible] the Indians. The final decision of the Department [illegible] known to you as soon as the action is [illegible] of the same.

Respectfully,

Signed

Tams Bixby

Commissioner.

Muskogee, Indian Territory, July 16, 1906.

COPY.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Emily Fields, Sammie McDonald, Fernie McDonald, Cleveland McDonald, Robert Stevens, Vindy Hall, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Tomsche, Sidney Fields, Clary Fields, Sarah Fields, Ephraim Fields, Wilburn Fields, Mary Fields, Sam Fields, Sterling Williams, Louis Williams, Charley Fields, Martin Fields, Willy Fields, William Fields, Jesse Fields, Alexander Fields, Harvey Fields, and Mary Smith as Choctaw freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated July 10, 1906, denying said applications, and dismissing the applications for the enrollment of Sammie McDonald and Fernie McDonald as Choctaw freedmen.

Respectfully,

SIGNED Tams Bixby

Commissioner.

2 inclosures herein as ab.

Terms and conditions of Choctaw Affidavit.

DECISION RENDERED JUL 1 0 190

REFUSED JUL 1 0 1906

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS 1906

COPY OF DECISION FORWARDED ATTORNEY FOR APPLICANT

JUL 1 0 1906

JUL 1906

RECORD FORWARDED DEPARTMENT

JUL 1906

ACTION APPROVED BY SECRETARY OF INTERIOR

MAR 4

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS.

APR 1 9 1907

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEY FOR APPLICANT.

APR 1 9 190

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT.

APR 1 9 1907

Slide FR D-170 Stella Jones

FR D-170

FREEDMAN

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Gaddo, I.T., August 28, 1899.

In the matter of the application of Joe Gardner, said Gardner being sworn by Commissioner Needles and examined by him et als, testified:

I call myself about 63 years old. I belonged to the widow Gardner, a Chester. I have lived in the Territory all my life. My wife's name is Minie Gardner. She used to belong to Tom Jones, a Chester, and she has always lived here. Malinda Jones, my daughter, was in Paris, Texas, working about 2 years ago and married down there and since that has become crazy and is in an insane asylum there and cannot get back. She has been in the asylum about two years.

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

[illegible]

Choctaw Freedman
O R I G I N A L

Department of the Interior,
Commission to the Five Civilized Tribes.
Atoka, I. T., November 21st, 1902.

---o---

In the matter of the application of Joe Gardner for the enrollment of his two minor grandchildren, Stella Jones and Josiah Jones, as Choctaw Freedmen.

Joe Gardner being first duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Joe Gardner.
Q How old are you? A About sixty or sixty-five.
Q What is your post office address? A Caddo.
Q Are you a Choctaw freedman? A Yes sir.
Q What is it you want to say? A I just wanted to say there are two children; the other one is in Texas going to school.
Q What are the children's names? A The other one is named Josiah Jones.
Q How old is Josiah Jones? A Nine years old.
Q What is the name of the other child? A Stella Jones.
Q How old is Stella? A Thirteen.
Q What relation are these two children to you? A Grandchildren.
Q Who was their mother? A Malinda Jones.
Q Was she your daughter? A Yes sir.
Q Where is Malinda now? A She's dead.
Q How long has she been dead? A About two years.
Q Where did she die? A Died in Texas.
Q Where have these children been living for the last six years?
A In Texas.
Q In Texas? A Yes sir.
Q And Malinda was living in Texas? A Yes sir.
Q How long had Malinda been living in Texas? A Why, she married and went over there since the Surrender.
Q Both these children born in Texas? A Yes sir.
Q Always lived there? A Always lived there up until now.

- - - - - - - - - - - - - - -

I hereby certify that I am a stenographer in the Commission to the Five Civilized Tribes, and reported the proceedings had in the above entitled cause on the 21st day of November, 1902, and that the above and foregoing is a true and correct transcript of his stenographic notes taken in said cause on said date.

Subscribed and sworn to before me this 25th day of November, 1902.

Notary Public.

N.P.la

17-D-170

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment of Stella Jones and Josiah Jones as Choctaw Freedmen.

--: D E C I S I O N :--

It appears from the record herein that on November 21, 1904, application was made to this Commission for the enrollment of Stella Jones, thirteen years of age, and Josiah Jones, nine years of age, as Choctaw Freedmen.

It further appears from the record herein that Stella Jones and Josiah Jones claim the right to enrollment as Choctaw Freedmen through their father, Malinda Jones. (now deceased.)

It further appears from the record herein that said Malinda Jones resided in the State of Texas about the year 1900, [illegible] the date of her death in the year [illegible] resident in good faith of the Indian Territory on June 28, 1898, nor for a long time prior thereto; that Stella Jones and Josiah Jones were born in the state of Texas and have never resided in the Indian Territory.

It is, therefore, the opinion of this Commission that Stella Jones and Josiah Jones are not entitled to be enrolled as Choctaw Freedmen, and that the application for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

C. R. Breckinridge
Commissioner.

Muskogee, Indian Territory,
MAY 19 1905

17-D-170

Muskogee, Indian Territory, May 19, 1906.

Joe Gardner,

COPY.

[illegible]

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Secretary to the Five Civilized Tribes, rendered May 18, 1906, denying the application made by you for the enrollment of your two grandchildren, Stella Jones and Jackson Jones, as Choctaw freedmen.

The decision, with the record of proceedings in the case, is now in accordance with the instructions of the Interior Department, the final decision of the Secretary will be made upon a [illegible] of the case.

Respectfully,

Chairman.

Tams Bixby

Enclosures.
[illegible] 17-D-170.

17-D-178

Muskogee, Indian Territory, May 19, 1896.

COPY.

Mr. [illegible],
[illegible] Commission,
[illegible] Indian Territory,

Gentlemen:

Herewith I transmit you with this a copy of the decision of this Commission, rendered May 19, 1896, denying the application for the enrollment of Stella Scott and Julian Jones as Choctaw freedmen.

The decision, with exception of [illegible] the land, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be communicated to [illegible] upon receipt thereof [illegible] of the case.

Respectfully,

SIGNED Tams Bixby

Chairman.

Inclosure.

[illegible], [illegible] [illegible], [illegible] [illegible], 1904.

COPY.

[illegible]

[illegible] Yours [illegible]

[illegible] Lewis Brady

(COPY)

XP.

D.C.31319.

DEPARTMENT OF THE INTERIOR.

I.T.D. 6216-1905. WASHINGTON. THE.

LRS June 19, 1905.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

May 19, 1905, you transmitted the record in the matter of the application for the enrollment of Stella Jones and Josiah Jones as Choctaw Freedmen, including your decision of the same date, denying said application.

Reporting May 25, 1905, the Indian Office recommends that your decision be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

A. A. Talley,

Asst. Secretary.

1 inclosure.

[illegible]

(NOT)

[illegible] D.C.Gibbs.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON, May 25, 1906.

The Honorable

Commissioner of Indian Affairs.

Sir:

I have the honor to publish a report from the Commission to the Five Civilized Tribes, dated May 19, 1906, transmitting the record of the application for enrollment as a Choctaw freedman by Sheila and Jerian Ross.

May 19, 1906, the Commission denied adversely to the applicants.

The record shows that the applicants claim right to enrollment through [illegible] Ross, who testified that he [illegible] from [illegible] Choctaw Nation in 1900 [illegible] the [illegible] Indian Territory [illegible] that Sheila and [illegible]

[illegible]

[illegible]

Respectfully,

[illegible]

17-D-170

Muskogee, Indian Territory, June 28, 1905.

COPY.

Joe Gardner,

Sulphur, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of June 19, 1905, affirmed the decision of this Commission, dated May 19, 1905, denying the application made by you for the enrollment of your two grandchildren, Stella Jones and Josiah Jones as Choctaw freedmen.

Respectfully,

SIGNED Tams Bixby

Chairman.

17-D-176

Muskogee, Indian Territory June 28, 1905.

COPY

Mansfield, Murray & Cornish,

[illegible] Chickasaw Nation,

South Ardmore, Indian Territory.

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of June 19, 1905, affirmed the decision of this Commission, dated May 13, 1905, denying the application for the enrollment of Stella Jones and Jessie Jones as Choctaw freedmen.

Respectfully,

(SEAL)

Tams Bixby
Chairman.

Jones et al

DECISION RENDERED MAY 19 1905

REFUSED

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS. 1905

COPY OF DECISION FORWARDED
APPLICANT

MAY 19 1905

RECORD FORWARDED DEPARTMENT.

MAY 19 1905

ACTION APPROVED BY JUN 19 1905
SECRETARY OF INTERIOR.

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW JUN 28 19
AND CHICKASAW NATIONS.

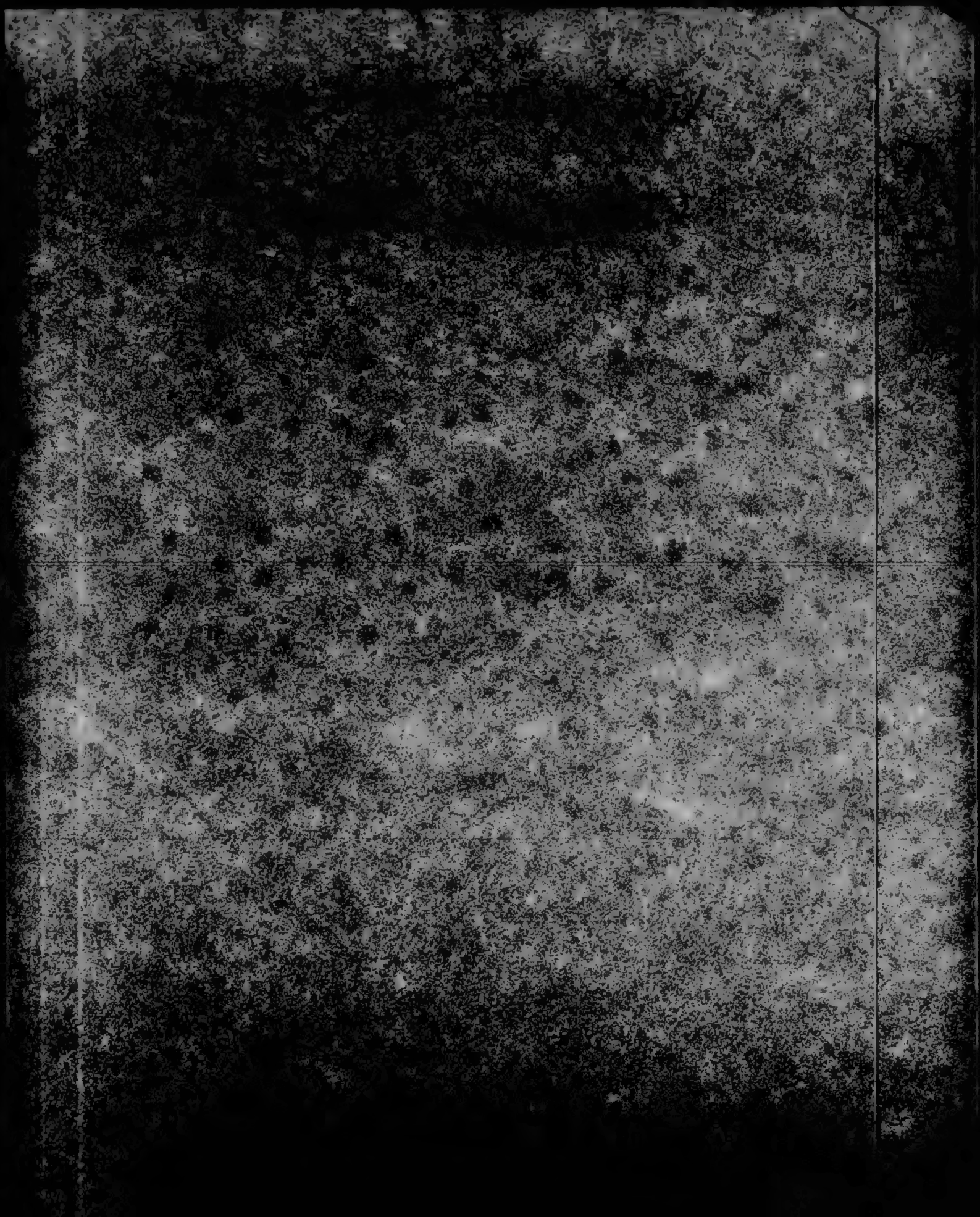
JUN 28 1905
NOTICE OF DEPARTMENTAL ACTION
MAILED PARTIES HEREIN.

Choc FR D-171 Ellis B. Barrett

Granted

record trans to Choc FR 1519

May 29, 1905



Choctaw Freedman
D 172

Muskogee, Indian Territory, May 7, 1904.

C. L. Conley,

Tuskahoma, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 26, asking the status of the enrollment of Virgie Stephens or Virgie Nail as a Choctaw freedman.

In reply to your letter you are advised that it appears from our records that Viney Nail is an applicant to the Commission for the enrollment of herself and her nephew Ed Stevens and her niece, Virgie Stevens, as Choctaw freedmen, but the Commission has not yet passed upon this application. As soon as a decision has been reached the applicants will be notified of the [illegible]

Respectfully,

Commissioner in Charge.

178172

17-2-[illegible]

Muskogee, Indian Territory, November 27, 1905.

Charles E. McPherren,

Ada, Indian Territory.

Dear Sir:

On February 24, 1906 you advised this office that you were the attorney for Emily Fields and her descendants, who are applicants for enrollment as Choctaw Freedmen. On March 1, 1906 a letter was addressed to you, asking for certain evidence relative to the enrollment of said Emily Fields and her descendants.

No response has been received at this office in reply to said request. You are now advised that in case you represent the parties above mentioned it will be necessary that additional evidence should be furnished in the matter of the enrollment of said parties. Evidence is requested with respect to the ownership of Emily Fields at the close of the war, the residence of herself and descendants up to and including September 24, 1906.

You should give this matter your prompt attention. If you do not at present represent them you will please inform this office to that effect.

Respectfully,

REFER IN REPLY TO THE FOLLOWING
17-D-172

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 5, 1906.

Viney Nail,

Caddo, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office in Muskogee, Indian Territory, on Thursday, April 5, 1906, at nine o'clock A. M., hear the testimony of such witnesses as may be presented in the matter of the application for the enrollment of Emily Fields and her descendants as Choctaw freedmen with which case the application for the enrollment of yourself and your nephew and niece Ed and Virgie Stevens as Choctaw freedmen has been consolidated.

Respectfully,

W. O. Beall

Acting Commissioner.

Department of the Interior,
Commission to the Five Civilized Tribes,
Atoka, Ind. Ter., November 21, 1902.

Original
Chickaw Freedman.

In the matter of the application of Vinny Nail for the enrollment of herself and her minor wards, Ed and Virgie Stevens, as Chickaw Freedman.

Vinny Nail, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

Q What is your name? A Vinny Nail.
Q How old are you? A Twenty three.
Q What is your post office address? A Caddo, Indian Territory.
Q How long have you lived in the Chickaw Nation? A I have been living here ever since I was five years old.
Q Lived here continuously for that length of time? A Yes sir.
Q What was the name of your father? A Andy McDonald.
Q Is he living? A No sir, he is dead.
Q Was he a freedman? A No sir, he was a med citizen.
Q What was the name of your mother? A Jennie McDonald.
Q Is she living? A No sir, she is dead.
Q [illegible] Nation? A [illegible] I think.
Q Do you claim freedman rights in the Chickaw Nation? A Yes sir.
Q You claim these rights through your mother, do you? A Yes sir.
Q When did your mother die? A Good of last February.
Q Was she a slave? A I think so, yes sir.
Q What was the name of her master? A I don't know.
Q Was he an Indian? A I don't know, I guess he was.
Q You don't know anything about him? A No sir, I don't know anything about him at all.
Q Where were you born? A I was born down close to Red River, I don't know what they call it.
Q In this Nation? A I don't know sir what they call it.
Q On the other side of Red River or on this side? A On this side I reckon, I don't know.
Q You stated that you had lived in the Chickaw Nation since you were five years old? A I have been here ever since I can remember.
Q Did you live outside of the Nation before that? A Yes sir, we went away and come back.
Q Do you think you were born in the Nation? A Yes sir.
Q Are you married? A Yes sir.
Q Have you any children? A No sir.
Q What is your name, maiden name? A Vinny Nail.

Q Was he a freedman? A No sir, non citizen.
Q What was the name of the mother of these children? A Lou Stevens, my sister.
Q Did your sister ever make application for enrollment as a freedman? A No sir, I don't think she did; my mother enrolled her once, but not on the last enrollment.
Q Are both of the parents of these children dead at the present time? A No sir, but the father don't have anything to do with them.
Q The mother of these children is dead? A Yes sir.
Q And they are living with you at the present time? A Yes sir.

----Oo----

Harry C Risteen being first duly sworn upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 21st day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Harry C Risteen

Subscribed and sworn to before me this 27 day of November, 1902.

J. Sammons
Notary Public.

O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Emily Fields, et al. as Choctaw freedmen, consolidating the applications of

Emily Fields	17 D 128
Joanna McDonald, et al.	17 D 79
Robert Townsend	17 D [illegible]
Viney Nail, et al.	17 D [illegible]
Evelina Bryant, et al.	17 D 80
Jim Townsend	17 D 81
Sidney Fields, et al.	17 D 82
Rena Paris	17 D 83
Sterling Williams, et al.	17 D 84
Charley Fields, et al.	17 D 85
Madison Fields, et al.	17 D 86
Alexander Fields	17 D 87
Horace Fields	17 D 88
Mary Belvin	17 D 10

D E C I S I O N .

It appears from the census card records in this case that on August 24, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Emily Fields as a Choctaw freedman; that on June 11, 1900, applications were made to said Commission for enrollment as Choctaw freedmen by Joanna McDonald for her self and her four minor children, Jenny, Lennie, Paralee and Cleveland McDonald; by Evelina Bryant for herself and her two minor children, Oscar Osborne and Leroy Bryant; by Jim Townsend for himself; by Sidney Fields for himself and his five minor children, Ellara, Harris, Robert, Wilburn and Mary Fields; by Rena Paris for herself; and by Sterling Williams for himself and his two minor children, Lewis and Virdie Williams; that on June 12, 1900, applications were made by Charley Fields for the enrollment of himself and his two minor children, Clifton and Willy Fields; by Madison Fields for himself and his minor child, Emma Fields; by Alexander Fields for himself and by Horace Fields for himself as Choctaw freedmen; that on November 20, 1902, application was made by Robert Townsend for the enrollment of himself; that on November 21, 1902, application was made by Viney Nail for the enrollment of herself and her minor nephew and niece, Ed and Virgie Stevens; and that on August 22, 1899, application was made by Mary Belvin for the enrollment of herself as a Choctaw freedman.

It appears from the records in the possession of this office that Virdie Williams, minor applicant in 17 D 84, has heretofore been enrolled as a Choctaw freedman, her name [illegible] Odessa May [illegible]

[illegible] the census card records in this case that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Charley Fields and Rena Paris are the children of the applicant, [illegible] and Eugene Fields, a non-citizen; that Emma Fields is the daughter of the applicant, Madison Fields, and Horace Fields, a non-citizen; that Clifton and Willy Fields are the children of the applicant,

Charley Fields, and Biddy Fields, a non-citizen; that Lewis Williams is the son of the applicant, Sterling Williams, and Hattie Williams, a non-citizen; that Fanny, Lennie, Paralee and Cleveland McDonald and Viney Hail are the children of the applicant, Joanna McDonald, and Andy McDonald, a non-citizen; that Robert Townsend is the son of the applicant, Joanna McDonald, and Isom Townsend, a non-citizen; that Ed and Virgie Stevens are the children of Will Stevens, a non-citizen, and Lou Stevens (now deceased, and born subsequent to the war), who was the daughter of the applicant, Joanna McDonald, and Andy McDonald, above mentioned; that Eveline Bryant is the daughter of the applicant, Joanna McDonald, and John Williams, a non-citizen; that Oscar Osborne is the son of said Eveline Bryant and Cornelius Osborne, a non-citizen; that Leroy Bryant is the son of Eveline Bryant and Russell Bryant, a non-citizen; that Jim Townsend is the son of Isom Townsend, a non-citizen; and Ellen Townsend (now deceased); and that Clara, Carrie, Ephriam, Wilburn and Mary Fields are the children of the applicant, Sidney Fields, and Mattie Fields, a non-citizen.

It further appears from the record herein that the applicants, Mary Belvin, Horace Fields, Alexander Fields, Madison Fields, Emma Fields, Charley Fields, Clifton Fields, Willy Fields, Sterling Williams, Lewis Williams, Rena Paris and Robert Townsend, were born subsequent to the war of the rebellion, and claim their right to enrollment as Choctaw freedmen by reason of being descendants of the principal applicant, Emily Fields; that the applicants, Fanny McDonald, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Viney Hail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, and Leroy Bryant, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Joanna McDonald; that Jim Townsend claims his right to enrollment by reason of being a descendant of Ellen Townsend; and that Clara, Carrie, Ephriam, Wilburn and Mary Fields, claim their right to enrollment as Choctaw freedmen by reason of being descendants of the applicant, Sidney Fields.

It is alleged that said Emily Fields, Sidney Fields, Joanna McDonald and Ellen Townsend (now deceased), who were born prior to the war of the rebellion, were the slaves of Dock (or John) and Clark McCoy, during and at the close of the war of the rebellion.

The preponderance of the evidence, however, shows that the persons above mentioned, were, during and at the close of the war of the rebellion, the slaves of a white man, and resided in the state of Texas at the date of the treaty of Fort Smith.

The record herein further shows that the applicants, Joanna McDonald and Fanny McDonald, died prior to September 25, 1902.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that the applicants, Emily Fields, Sidney Fields, Clara Fields, Rena Paris and Sterling Williams, are identified upon the 1896 Choctaw freedmen rolls [illegible]

[illegible] Fields, Clara Fields, Carrie Fields and Madison Fields, are identified upon the 1896 Choctaw freedmen rolls [illegible]

I am, therefore, of the opinion that the applicants for the enrollment of Emily Fields, Lennie McDonald, Paralee McDonald, Cleveland McDonald, Robert Townsend, Viney Hail, Ed Stevens, Virgie Stevens, Eveline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Carrie Fields, Ephriam Fields, Wilburn Fields, Mary Fields, Rena Paris, Sterling Williams, Lewis Williams,

17-D-172 et al

Muskogee, Indian Territory, July 10, 1906.

OCPR

Viney Hall,

Caddo, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1906, denying the application for the enrollment of yourself, Ed Stevens and Virgie Stevens as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Incl. 17-D-172 et al.

17-2-128 it ex.

Muskogee, Indian Territory, July 10, 1896.

COPY

Charles J. Rutherford,
Attorney at Law,
Vinita, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 10, 1896, denying the application for the enrollment of Mary Selvin, Sterling Williams, Lewis Williams, Rena Paris, Pauline Bryant, Grace Bryant, Leroy Bryant, Jim Townsend, Robert Townsend, Ulay Neil, Ed Thomas, Virgie Stevens, Lennie McDonald, Pearlie McDonald, Blevilene McDonald, Emily, Nannie, Alexander, Katiena, Jimmie, Charley, Clifton, Willy, Sidney, Clara, Bessie, Roberta, William and Mary Pigeis, and dismissing the application for the enrollment of Joseph McDonald and Fanny McDonald as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED
Tams Bixby
Commissioner.

Inclo. Transcript of R.

17-2-124 et al

Muskogee, Indian Territory, July 18, 1906.

CC

Knowlton, Mahaffey & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South Bolivar, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered July 16, 1906, covering the application for the enrollment of Mary Colvin, Elizabeth Williams, Lewis Williams, Dave Pegue, Evaline Bryant, Oscar Bryant, Lerry Bryant, Jim Tecumseh, Robert Tecumseh, Vinny Tail, Ed Stevens, Virgie Stevens, Joseph McDonald, Pearlie McDonald, Theodore McDonald, Emily, Byron, Alexander, Andrew, Mamie Charley, Sidney, Willy, Sydney, Lizzie Brown, Harvey Williams and Mary Brown, and disapproving the applications for the enrollment of Joseph McDonald and Fanny McDonald as Choctaw freedmen.

Herewith, with the record of proceedings in the cases, we have the honor to submit to the Secretary of the Interior for review, which decision of the Secretary will be made known to you by mail by this office in behalf of the same.

Respectfully,

Tams Bixby
Commissioner.

Inclosures.

Muskogee, Indian Territory, July 10, 1896.

COPY

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Emily Fields, Lennie McDonald, Pauline McDonald, Cleveland McDonald, Robert Foreman, Vinny Hall, Ed Stevens, Virgie Stevens, Evaline Bryant, Oscar Osborne, Leroy Bryant, Jim Townsend, Sidney Fields, Clara Fields, Gertie Fields, Ephrain Fields, Wilburn Fields, Mary Fields, Hence Perry, Sterling Williams, Lewis Williams, Stanley Fields, Clifton Fields, Willy Fields, Madison Fields, Rena Fields, Alexander Fields, Warren Fields, and Mary Melvin as Cherokee freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated July 10, 1896, denying said applications, and dismissing the applications for the enrollment of Jennie McDonald and Fenny McDonald as Cherokee freedmen.

Respectfully,

SIGNED

Tams Bixby

Commissioner.

3 Inclos. Testimony, et al.

Return to

Commissioner of Indian Affairs.

JUL 10 1906

DECISION RENDERED

JUL 1 1 1906

COPY OF DECISION FORWARDED
ATTORNEY FOR APPLICANT

JUL 1 1 1906

COPY OF DECISION FORWARDED
APPLICANT

JUL 1 1906

RECORD FORWARDED DEPARTMENT

JUL 1 1906

NOTICE OF DEPARTMENTAL ACTION
SECRETARY OF THE INTERIOR.
MAR 1 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS

APR 1 9 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR

APR 1 9 1907

NOTICE OF DEPARTMENTAL ACTION
MAILED APPLICANT

APR 1 9 1907

17-20-128

Chic PR D173 Joseph Gardner

Entered Jan 28, 1905

Cancelled and pass to Chic PR 135

July 17, 1905

D-173

Choc FR D-174 Ephraim Gary

Trans to Choc FR 1975

FR D-174

[illegible] Jones Johnson

[illegible] Chas H. Card

[illegible] U.S. To Exec. Dr. 601

B
0
5
4
5

Choc FR D-126 Henry Barnett

Granted Jan 19, 1906

recorded to Choc FR Cord 1592 Feb 3, 1906

FR D-126

Choc FR D-177 Georgia Ann Riley

FR D-177

17-D-177

Muskogee, Indian Territory, January 12, 1904.

Mrs. Dora Davis,

Grant, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 8th inst., giving information relative to the identity of Georgiana Davis. The information contained in your letter has enabled the Commission to identify her as an applicant for enrollment as a Choctaw freedman under the name of Georgia Ann Riley, wife of Johnson Riley, but whose rights to enrollment as a Choctaw freedman have not yet been determined.

Respectfully,

Chairman.

17-D-177.

Muskogee, Indian Territory, August 19, 1904.

Georgia Ann Riley,
Grant, Indian Territory.

Dear Madam:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to produce, for the purpose of testifying relative to the rights of yourself as a freedman of the Choctaw Nation, or you may appear for this purpose before the Commission at its general office, Muskogee, Indian Territory, as you desire.

Respectfully,

Chairman.

[illegible]
O R I G I N A L

Department of the Interior.
Commission to the Five Civilized Tribes.
Antlers, I. T., [illegible], 1902.

---o0o---

In the matter of the application of Georgia Ann Riley for the enrollment of [illegible] and her two minor children, Foster and [illegible] as [illegible] of the Choctaw Nation.

Georgia Ann Riley being first duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A [illegible]
Q [illegible] A [illegible] years old.
Q What is your post office address? A Grant.
Q [illegible] Indian Territory? A [illegible]
Q What is the name of your father? A William Colbert.
Q Is he living? A [illegible]
Q What is the name of your mother? A [illegible]
Q [illegible]
Q [illegible]
Q [illegible] A Thomas Riley.
Q [illegible] have you been married? A I have been married [illegible]
Q What was the name of your first husband? A [illegible]
Q [illegible]
Q [illegible]
Q [illegible]
Q [illegible]
Q [illegible]
Q [illegible] married to Thomas Riley? A [illegible]
[illegible]
Q [illegible]
Q [illegible]
Q [illegible]
Q [illegible] for enrollment before [illegible]
Q [illegible] ever appeared before the Dawes Commission? A [illegible]
Q [illegible] lived in Indian Territory? A [illegible]
Q [illegible] you have lived in Indian Territory all [illegible]? A Yes sir.

Have made your home anywhere else? A No sir.
Did you ever make any application for enrollment before
[illegible]? A In the Nation Commission?
Yes? A I was children to some at that time.

Applicant excused.

William Colbert being called as a witness and duly sworn, testified as follows:

What is your name? A William Colbert.
How old are you? A I am thirty-six going on fifty-six.
Are you the father of Georgia Ann Riley? A Yes sir.
Are you the person who has made application for enrollment as a Choctaw freedman? A Yes sir.
Are you the husband of Chester Freedman? A Yes, yes sir. Chester Freedman told me [illegible], but I thought I was on the Cohabamer list.
How many children have you got? A I have got eight living children.
[illegible] A Yes sir, only one.
Do you have made any application for Georgia Ann Riley? A Yes sir.
Why did you never make application for her enrollment? A I left it for the [illegible] to do it.
[illegible] A Near Wheelock.
[illegible] A Yes.
Do you know why the application for the enrollment of this child was not made? A He said that he did [illegible].
[illegible] A Yes sir.
[illegible] A Yes sir.
[illegible]
[illegible] A Lived in the territory.
[illegible]
[illegible] A Born in Texas.
Have you lived in Texas? A No sir, lived here in the Nation.
[illegible]
[illegible] A Yes sir.
[illegible] A Yes sir.
[illegible] A Yes sir.
[illegible]

[illegible]

Subscribed and sworn to before me this [illegible] day of December, 1906.

[illegible]

N.P.C.
A.R.T.
17 D 21
17 D 205
17 D 177

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the applidation for the enrollment of William Colbert et al. as Choctaw Freedmen, consolidating the applications of

William Colbert et al.	17 D 21
Isadora Davis et al.	17 D 205
Georgia Ann Riley	17 D 177

D E C I S I O N .

It appears from the record herein that on May 8, 1899, application was made to this Commission for the enrollment of William Colbert and his minor children, Lilly Colbert, fifteen years of age, Amietta Colbert, twelve years of age, Major Colbert, sixteen years of age, Esick Colbert, thirteen years of age, Ruthie Colbert, eleven years of age, and Garfield Colbert, eight years of age, as Choctaw Freedmen; that on December 2, 1902, application was made to this Commission for the enrollment of Isadora Davis (daughter of William Colbert) and her minor children, Henry Davis, eight years of age, and Robert Hicks, nine years of age, as Choctaw Freedmen, and that on December 4, 1902, application was made to this Commission for the enrollment of Georgia Ann Riley (daughter of William Colbert) as a Choctaw Freedman. Further proceedings were had in the matter of said applications at Goodwin, Indian Territory, on May 10, 1899, and at Atoka, Indian Territory, on September 2, 1904.

It further appears from the record herein that the said William Colbert was a slave of one Sampson Folsom, a recognized Choctaw citizen, during and at the close of the War of the Rebellion.

On an examination of the 1896 Choctaw Freedmen Census Roll, the names of the said William Colbert and his two daughters, Lilly Colbert and Amietta Colbert, are found thereon, Kiamitia County, numbered 880, 974 and 976 respectively.

It further appears from the record herein that the said William Colbert, through whom all other applicants herein claim was not a resident in either the Choctaw or Chickasaw Nation at the date of the Treaty of Fort Smith.

It is, therefore, the opinion of this Commission that William Colbert, Lilly Colbert, Amietta Colbert, Major Colbert, Esick Colbert, Ruthie Colbert, Garfield Colbert, Isadora Davis, Henry Davis, Robert Hicks and Georgia Ann Riley are not entitled to be enrolled as Choctaw Freedmen, and that the applications for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
(Signed) Tams Bixby, Chairman.
[illegible] Commissioner.
(Signed) C. R. Breckinridge.
Commissioner.

Muskogee, Indian Territory,
[illegible] 1906

SIGNED

COPY

17-D-177

Muskogee, Indian Territory, May 6, 1906.

Georgia Ann Riley,

Grant, Indian Territory,

Your address.

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1906, denying the application for your enrollment as a Cherokee freedman.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. Needles.

Commissioner.

Registered.

SIGNED

Encl. 17-D--[illegible]
17-D-[illegible]
17-D-[illegible]

Muskogee, Indian Territory, May 6, 1903.

[illegible]

[illegible]

[illegible]

[illegible] herewith transmitted the record of proceedings in the matter of the application for the enrollment of William Colbert, Billy Colbert, Antonia Colbert, Major Colbert, Sarah Colbert, Joseph Colbert, Garfield Colbert, Isaiah Colbert, Henry Davis, Mary Ann Davis and Joseph Ann Riley as Choctaw freedmen, including the decision of the Commission dated May 5, 1903, covering said applicants.

Respectfully,

[illegible] Commissioner in charge of Choctaw affairs.

[illegible]

[illegible]

Muskogee, Indian Territory, May 6, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
[illegible] Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of this Commission rendered May 6, 1904, denying the application for the enrollment of William Colbert, Lilly Colbert, Lucetta Colbert, Major Colbert, Alice Colbert, Ruthie Colbert, Benfield Colbert, Lenora Davis, Harry Davis, Robert Rice [illegible] and Riley Jackson as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for [illegible]. The transmittal of the Secretary will be [illegible] by mail to your Commission in interest of the [illegible].

Respectfully,

[illegible]

Chairman.

Inst. [illegible]
[illegible]
[illegible]

REFUSED

DECISION RENDERED. MAY - 6 1905

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. MAY - 6 1905

COPY OF DECISION FORWARDED APPLICANT. MAY - 6 1905

ACTION APPROVED BY SECRETARY OF INTERIOR.

JUN 27 1905

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS.

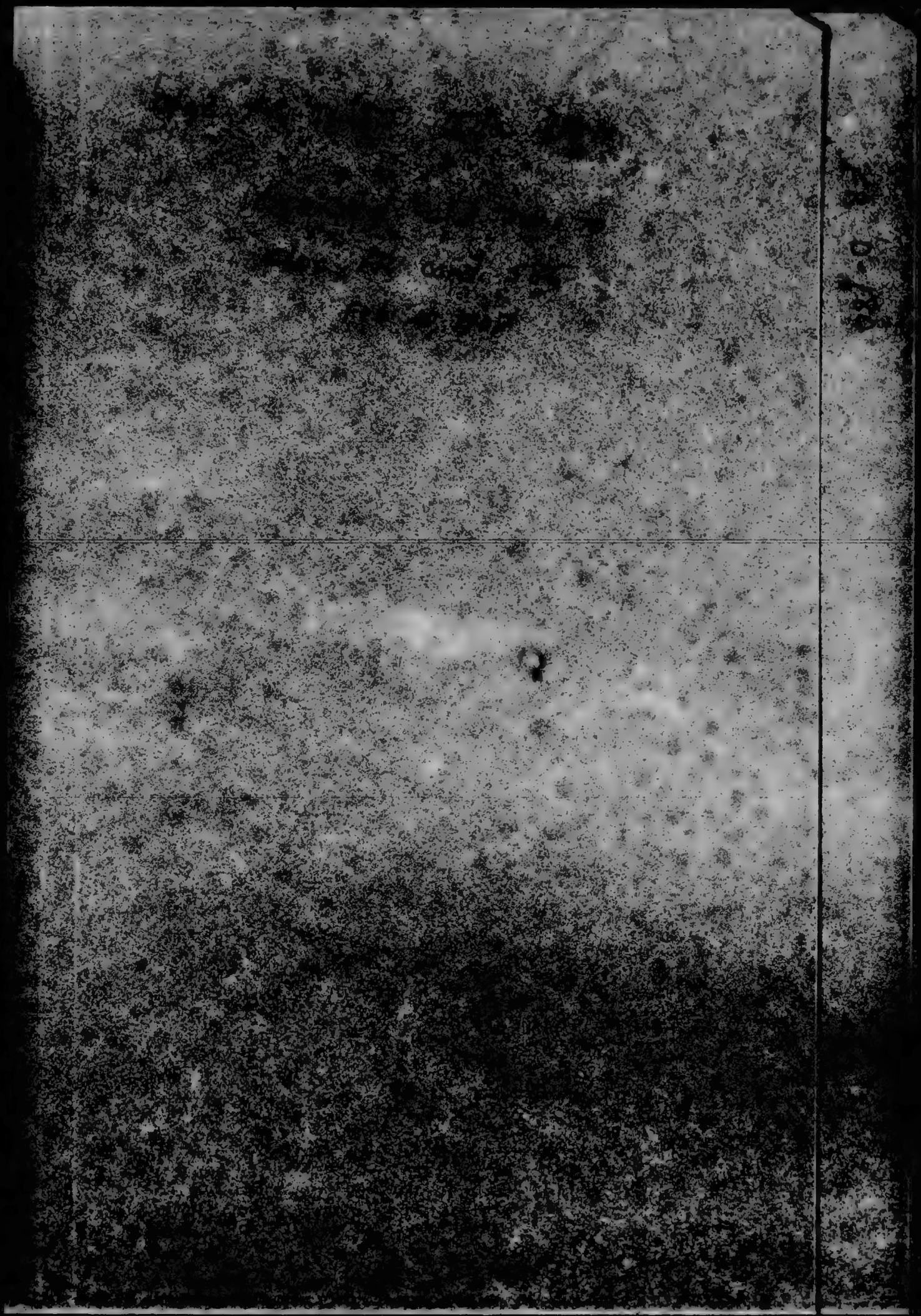
JUN -8 1905

NOTICE OF DEPARTMENTAL ACTION MAILED PARTIES HEREIN.

JUN -8 1905

Abs to 17-II 21

PR-D-178



FR D-181

FAR D-182

Department of the Interior.
Commission to the Five Civilized Tribes.
Sulphur, Ind.Ter., November 28,1902.

Original
Choctaw Freedman.

In the matter of the application of William Walls for enrollment as a freedman of the Choctaw Nation for himself, his wife, Luny Walls, and his minor child, Tony Walls.

William Walls, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

Q What is your name? A William Walls.
Q How old are you? A 70 this coming February.
Q What is your post office address? A Bagletown, Indian Territory.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you lived in the Choctaw Nation? A Been there all my life.
Q Never lived anywhere else? A No sir.
Q Do you claim the right to enrollment as a freedman of the Choctaw Nation? A Yes sir.
Q What makes you think you have rights as a freedman of the Choctaw Nation? A I think I have equal rights as what the rest have.
Q Were you a slave? A Yes sir.
Q What was the name of your master? A Peter Pitchlynn.
Q Was he a Choctaw Indian? A Yes sir.
Q A recognized citizen of the Choctaw Nation? A Yes sir.
Q Where did Peter Pitchlynn live? A He lived at Bagletown.
Q Where was he living during the war? A Right at Bagletown.
Q You were there all during the war were you? A Yes sir.
Q Where were you when the slaves were freed? A At Bagletown.
Q And have lived there ever since? A Yes sir.
Q What was the name of your father? A Dick Walls.
Q Is he living or dead? A Dead.
Q Was he a slave? A Yes sir.
Q What was the name of his owner? A Walls.
Q Was he a white man or an Indian? A He was Indian.
Q Choctaw [illegible]
Q What was the name of your mother? A Delia Walls.
Q Is she living or dead? A Dead.
Q Was she a slave? A Yes sir.
Q What was the name of her owner? A Pitchlynn.
Q [illegible]
Q [illegible]
Q What is the name of your wife? A Luny Walls.
Q Is she a freedman? A Yes sir.
Q Of what nation? A Choctaw Nation.
Q Did she ever make application to this Commission? A No sir.
Q What was the name of her owner? A I don't know sir what his name was.
Q Was he a white man or an Indian? A He was Indian.
Q How many children have you under age? A Only one.
Q What is its name? A Tony Walls.
Q How old is Tony? A Seventeen years old.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] of the Interior
Commission [illegible] Citizenship Rights.
Caddo, I. T., November [illegible], 1902.

---oOo---

In the matter of the application of Richard Walls for the enrollment of himself and [illegible] children, Cornelia, Henrietta, [illegible], [illegible], Richard and Walter Walls, as freedmen of the Choctaw Nation.

Richard Walls being first duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Richard Walls.
Q How old are you? A Thirty-five.
Q What is your post office address? A Ragletown.
Q That is in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation?
A [illegible] years.
Q Have you lived here continuously for the past fourteen years?
A Yes sir.
Q Where did you live before that? A I lived in the state of Arkansas.
Q Do you claim the right to enrollment as a Choctaw freedman?
A Yes sir.
Q What is the name of your father? A William Walls.
Q Is he living? A Yes sir.
Q Was he a freedman? A Yes sir.
Q Choctaw freedman? A Yes sir.
Q What is the name of your mother? A Lucy Walls.
Q Is she living? A Yes sir.
Q Is she a freedwoman? A Yes sir; no sir, she's a non-citizen.
Q She's a non-citizen? A Yes sir, non-citizen.
Q What was the name of your father's master? A Peter Pitchlynn.
Q Was he a recognized citizen by blood of the Choctaw Nation?
A Yes sir.
Q His rights were never disputed? A No sir.
Q Where did Peter Pitchlynn live? A At Ragletown.
Q Did your father live with him there during the war and before the war? A Yes sir.
Q Where was your father freed? A At Ragletown.
Q Right through Peter Pitchlynn's place? A Yes sir.
Q Where did he go after he was freed? A He stayed right there at Ragletown.
Q Have you been there? A Yes sir.
Q You claim your rights to enrollment as a Choctaw freedman through your father? A Yes sir, through my father.
Q Have you ever recognized or enrolled by the tribal authorities of the Choctaw Nation as a freedman? A No sir.
Q Have you ever been before this Commission for enrollment as a Choctaw freedman prior to this time? A No sir.

Q Why is it you have never come before the Commission up to this time? A When they met at Sulphur Springs my wife was sick.
Q Where were you living at that time? A I was living in the state.
Q Living in the state at that time? A Yes sir.
Q How long were you out in the states? A I stayed out there about seventeen months.
Q When was that? A That was - - when I lived there it was in '90.
Q You went down into the states in 1890? A Yes sir.
Q How long did you stay there? A Stayed there seven months.
Q What state was that? A Arkansas.
Q Then did you come back to the Territory? A Yes sir.
Q Have you been out since that time? A Yes sir, but I didn't stay out.
Q When were you out next time? A Been out several times.
Q Where have you made your home during the last four or five years? A At Brownstown.
Q Where is that? A In the state.
Q Of Arkansas? A Yes sir.
Q When did you go to Brownstown, Arkansas? A I went there in- I disremember what year.
Q About how long ago? A In '79.
Q In 1879? A Yes sir.
Q Have you lived in Arkansas since 1879? A Fourteen years.
Q Are you at present living in the state of Arkansas?
A Yes sir.
Q You haven't lived in the Cherokee Nation since 1879, is that your statement? A Yes sir.
Q You have been a resident of the State of Arkansas all that time?
A Yes sir.
Q You are just back here for the purpose of making application for enrollment? A Yes sir.
Q You stated in the first part of this examination that you had been a resident of the Cherokee Nation for the past fourteen years; what did you mean by that? A I thought you meant how long did I live there and I said fourteen years after I was born there.
Q You meant by that then that you lived in the Cherokee Nation until you were fourteen years old? A Yes sir.
Q Since that time you have lived out in the state of Arkansas?
A Yes sir.
Q Isn't it a fact than that your post office address is Brownstown Arkansas? A Yes sir.
Q You stated at the first of this examination that it was Eagle-town, Indian Territory? A I thought that was the way I had to make it.
[illegible] Yes sir.
[illegible] A In the
[illegible] A There was
[illegible] A There's a man living
[illegible] A Yes sir.
[illegible] the state of Ark is a place where we?
[illegible] time.
[illegible] fourteen years old
[illegible]

Richard Wells--I.

Q. How old is she? A. She's twelve years old.
Q. What is the name of the next one? A. Ina Snory.
Q. How old? A. Ten years old.
Q. What is the name of the next one? A. Tuhbie.
Q. She's dead? A. Dead.
Q. What is the name of the next one? A. Zoola.
Q. How old is she? A. She's six years old.
Q. What is the name of the next? A. Isabella.
Q. How old is she? A. She's four.
Q. What is the name of the next one? A. The next one he's named Edward.
Q. How old is he? A. He's two years old.
Q. Is that the last one? A. No, one more.
Q. What is the name of the next one? A. Baby, has never been named.
Q. When was the baby born? A. She was born the 20th of last November, this November a year ago.
Q. Have given her any name? A. No sir, just call her sister.
Q. Is that all then? A. Yes sir.
Q. Got seven living children? A. Yes sir.

- -

Albert G. McWilliam being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 26th day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McWilliam

Subscribed and sworn to before me this 4th day of December, 1902.

H. C. Crates

Notary Public.

Choctaw Freedman
O R I G I N A L.

Department of the Interior.
Commission to the Five Civilized Tribes.
Garvin, I. T., November 28th, 1902.

---oOo---

In the matter of the application of Solomon Walls for the enrollment of himself and his four minor children, Ora, Earnest, Ephenus and Hazel Walls, as freedman of the Choctaw Nation.

Solomon Walls being first duly sworn testified as follows:

Examined by the Commission:

Q What is your name? A Solomon Walls.
Q How old are you? A Thirty-three.
Q What is your post office address? A Brownstown, Arkansas.
Q How long have you lived in the state of Arkansas? A Since '79.
Q Do you claim the right to enrollment as a freedman of the Choctaw Nation? A Yes sir.
Q Is that the reason you are here, to make application as a Choctaw freedman? A I thought I would have a right by my father being a freedman.
Q What is the name of your father? A William Walls.
Q Is he a Choctaw freedman? A Yes sir.
Q He's living? A Yes sir.
Q What is the name of your mother? A Lucy Walls.
Q Is she a Choctaw freedman? A She married up in the States.
Q She was a Choctaw woman? A Yes sir.
Q Is she living? A Yes sir.
Q You claim your right through your father? A Yes sir.
Q What was the name of your father's owner? A Peter Pitchlynn.
Q Was he a Choctaw Indian? A Yes sir.
Q Where did he live? A Eagletown, Choctaw Nation.
Q Where was your father freed? A At Eagletown.
Q He was at that time the property of Peter Pitchlynn?
A Yes sir.
Q How long had your father lived with Peter Pitchlynn before he was freed? A I reckon he had been with him all his life.
Q Was you married? A Yes sir.
Q What is the name of your wife? A Ada Walls.
Q Is she a freedman? A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] A [illegible] and live dead.
Q [illegible] A Ora Walls.
Q [illegible] A [illegible]
Q [illegible] years old.
Q [illegible] A The most living?
A [illegible]

(1) (2)

Examine Valle--

Q How old is he? A He's three years old.
Q What is the name of the child? A Hazel.
Q How old is she? A It's a boy; he's two years old.
Q You and your family arrived present living in the state of Arkansas? A Yes sir.
Q Been living there since 1898? A Yes sir.

- - - - - - - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer for the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 28th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said day.

Albert G. McMillan

Subscribed and sworn to before me this 6th day of December, 1902.

H. Hodges

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
[illegible] TERRITORY, [illegible]

In the matter of the application of William Wells, [illegible] Wells, [illegible] for [illegible] as [illegible] of the [illegible]

[illegible]

[illegible]
being first duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION.

Q What is your name? A William Wells.

[illegible]

William Walls---2

A Yes sir I give the names of me and my children.
Q Did you give the names of your children? A Yes sir.
Q Every one of them? A Yes sir.
Q Were any of your children with you at that time at Garvin?
A Yes sir, my two oldest boys were with me- Richard and Solomon..
Q Didn't the Commission tell you at that time that some of your children were over 21 years of age and that they must apply for themselves? A Yes sir.
Q Isn't it a fact that when you talked before the Commission about yourself that you only gave the name of yourself and children that were under 21 years of age. A I put all of them in, and they ask me how many were minor and I told them there was one.
Q What did they say about the others? A I think they said all of them could go on the roll.
Q Are you sure about that now? A Yes sir I think I am.
Q Didn't the Commission tell you at that time that those that were over 21 years old must look out for themselves; didn't they tell you that? A Yes sir, of course they could apply for themselves.
Q Now then they didn't apply for themselves? A No sir only Richard and Solomon.
Q That was all that applied for themselves? A Yes sir that's all.
Q Where were the other children? A They were at home; I couldn't bring them at that time; the water was up-- didn't I tell you that; I told you that I tried to bring the girls but the water was up and me and them boys went.
Q Can you read? A No sir.
Q Can you write? A No sir.
Q Did you have a lawyer to represent you at the time you appeared before the Commission at Garvin? A No sir.
Q Who was your master? A Peter Pitchlynn.
Q Whose slave were you, if you were a slave, at the beginning of the war? A Peter Pitchlynn
Q Were you a slave when the war ended? A Yes sir.
Q Whose slave were you then? A Peter Pitchlynn.
Q Where were you freed? A At the Pitchlynn farm.
Q Where was that? A Eagletown.
Q Didn't you run away during the war? A No sir I never run away; I stayed at home and drove a team during the war for the home guards.
Q Did you join the army? A No sir.
Q Where have you been living since the war? A I lived part of the time in the Choctaw Nation and part of the time in the State.
A [illegible] A Arkansas.
Q How long did you stay in the Choctaw Nation after the war ended? A I don't know.
Q About how long did you stay there? A About 7 years I reckon.
Q Then what did you do? A I went to Arkansas.
Q Where did you go then? A I stayed there.
Q Then where did you come to; are you living in Arkansas now?
A Yes sir.
Q Now since the time you first went to Arkansas 7 years after the war ended, you have never lived in the Choctaw or Chickasaw Nations? A No sir.

Q You havn't lived in the Territory at all have you since?
A I lived in the Territory just like I told you.
Q When did you live in the Territory? A Directly after the surrender.
Q And you havn't lived in the Territory since that time?
A No Sir.
Q You then went to Arkansas and have been living there e ver since? A Yes sir.
Q And you are now living in Arkansas? A Yes sir.
Q Was your wife a slave? A Yes sir.
Q To whom did she belong? A She belonged to white folks.
Q What are their names? A Norwood.
Q Do you know their first names? A Ben Norwood.
Q And he was a white man? A Yes sir.
Q Who was his wife? A I don't know his wife's name.
Q Was she an Indian? A No sir she wasn't no Indian.
Q Was she a white woman? A Yes sir.
Q Now your wife Lucy was what is called a State woman isn't she? A Yes sir she was a state woman.
Q She a colored woman? A Yes sir.
Q Where was she during the war? A I don't know where she was.
Q Where did you first find her? A Down in Arkansas.
Q She never lived in the Choctaw Nation? A No sir.
Q Never lived in the Indian Territory? A No sir..
Q Were you married to Lucy? A Yes sir.
Q Were you married by a preacher? A Yes sir.
Q About how old is she now? A I reckon she's about 50 year's old.
Q She's a good deal younger than you are? A Yes sir.
Q Have you got any children under 21 years old? A Yes sir I got one.
Q What is his name? A Tony Walls.
Q How old is he now? A 19 years old.
Q Who was Tony's mother? A Lucy Walls.
Q Where was he born? A He was born in the State.
Q Born in Arkansas? A Yes sir.
Q Been living there ever since hasn't he? A Yes sir.

BY MR JACKSON

Q Uncle William you are mistaken about how long you lived in the Territory arn't you; didn't you live there longer than 7 years; wasn't you there about 20 years? A I guess I was.
Q You and your wife lived in the Territory didn't you? A Yes sir.
Q What did you tell the Gentleman that she never lived in the Territory for. You was mistaken than awhile ago when you said your wife never lived in the Territory? A I never told him that.
Q You and your wife have lived in the Territory havn't you?
A Of course.
Q You were living there at the time Tony Walls was born weren't you? No answer.

William Walls---- 4

Q How long did you live in the Territory after the surrender
A I can't tell you
Q You lived longer in the Territory than you have since you moved to the State didn't you? A I think so.
Q How happened you to be named Walls? A I took my father's name.
Q You took the name of your father instead of taking the name of your mother? A Yes sir.

BY THE COMMISSION.

Q Isn't it a fact that your wife Lucy Walls was a State nigg er when you married her? A Yes sir.
Q Who is Solomon Walls? A He is my son.
Q Who is his mother? A Lucy Walls.
Q How many wives have you had? A Never had but one.

JAMES DYER
Being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A James Dyer.
Q Are you a recognized Choctaw by blood? A Yes sir.
Q How old are you Mr Dyer? A I'm about 67 years old.
Q Have you always been recognized as a Choctaw? A Yes sir I was born and raised a Choctaw.
Q In the Choctaw Nation? A Yes sir.

The witness, James Dyer is identified on Choctaw field card 137 and is number 1181 upon the final rolls approved by the Secretary of the Interior on December 18, 1902.

Q Are you a full blood Choctaw? A Yes sir I'm a full blood.
Q Do you know William Walls, the applicant in this case?
A Yes sir
Q How long have you known him? A Been knowing him since the civil war; he is a man older than I am.
Q Do you know [illegible] of an Indian or not? A Yes sir.
Q [illegible]
A [illegible] Peter
Q [illegible] Will Ed and [illegible] running away from his master during the war? A [illegible] he never was away [illegible] always. A Have of his [illegible]
Q Do you remember Peter Pitchlynn? A [illegible]
Q Were you on intimate terms of acquaintanship with Peter Pitchlynn? A Yes sir came in their own family.
Q Are you a relative of Peter Pitchlynn? A [illegible] not related but just [illegible]
Q You know of [illegible] knowledge that William Walls was a slave of Peter Pitchlynn? A [illegible] I [illegible]

in the Nation a good while; just around in the neighborhood running farms a good while.

Q Did he have any family? A Yes sir he had about 5 children when he left, and since he left I heard he had one boy.

Q Did he have any children at the close of the war? A Not at the close of the war; he was married after the war.

Q ~~He raised about 6 children in the Nation?~~ A I think it might have been five; I suppose he knows; it might have been six.

Q He had five or six children born to him in the Nation after the close of the war? A Yes sir.

Q Do you know anything about his moving to Arkansas? A No sir I don't; I think his wife had some friends and relatives living in Arkansas and she wanted to go down there.

Q And he has lived there ever since? A Yes sir I don't know much about him until he commenced making application to this Commission.

Q Did you know his wife Lucy? A Well I did.

Q Do you know wheter she was a slave or not? A She must have been?

Q Do you know that of your own knowledge? A No sir.

Q Isn't it a fact that Lucy Walls was what is considered a State nigger? A Yes sir.

Q That was the reputation she had in the community? A Yes sir.

Q Do you know whether Lucy Walls and William Walls were ever married? A Yes sir.

Q Do you know if they lived together as husband and wife?

A Yes sir.

Q You know that William walls and Lu cy walls lived together as husband and wife in the Choctaw Nation until they moved to Arkansas? A Yes sir.

Q Did you know a child of theirs called Salemon? A No sir I don't recollect their names; I know they were about the place but I don't remember any of their names if I ever knew them.

Q You don't know the names of any of their children? A No sir. I knew who they were but I don't know their names.

Q Where do you live? A Eagletown.

Q In what County is that? A Eagle County.

WILLIAM WALLS
Recalled testified as follows:

Q Is Lucy Walls, your wife, and Tony Walls, your daughter, living to-day? A Yes sir they was when I left home.

SHERMAN KING
Being first duly sworn testified as follows:

EXAMINATION BY THE COMMISSION

Q What is your name? A Sherman King. Q Are you a Choctaw Freedman? A Yes sir. Q Where do you now live? A Eagletown.

William Walls--- 6

Q How old are you? A About 54 years old.

Witness is identified on Choctaw freedman card 386 and is enrolled as number 824 on the final roll approved by the Secretary of the Interior March 6, 1906.

Q Do you know William Walls? A Yes sir.
Q How long have you known him? A I have been knowing of him all my life.
Q Did you know him during the war? A Yes sir.
Q Was he a slave during that time? A Yes sir.
Q Who did he belong to? A Peter Pitchlynn.
Q Who was he? A An Injun.
Q What kind of an Indian? A Half breed.
Q Was he a Creek, a Seminole or what kind of an Indian was he
A He was a Choctaw.
Q Did William Walls belong to him at the beginning of the war
A Yes sir.
Q Do you remember the time he ran away during the war? A No sir I don't remember anything about that.
Q Do you know whether he did or not? A No sir he didn't that I knows of.
Q Where was he at the close of the war? A He was on Peter Pitchlynn's place.
Q Where was Peter Pitchlynn living at that time? A He was living on Mountain Home.
Q What County is that? A Eagle County.
Q How long did he stay there after the war? A I just can't remember how long he stayed there; he stayed there a good while though; he stayed there long enough to have six children.
Q You say he had six children? A Yes sir.
Q About how many years after the war closed did he stay there ?
A He stayed there 15 or 20 years I expect. He was there a good while before he was married, and after he was married he had six children.
Q What became of him and his wife and children? A He went to Arkansas.
Q Been there ever since? A Yes sir been there ever since.
Q Did you know his wife? A Yes sir.
Q What was her name? A Her name was Lucy.
Q Do you know whether they were married? A Yes sir I was at the wedding.
Q When were they married? A I can't tell exactly when it was.
Q How long after the war? A I don't remember that.
Q Do you know any of his children? A Yes sir I know six of them.
Q Did you know Belcomb Walls? A Yes sir.
Q Where was he born? A He was born right there in the Nation.
Q Choctaw Nation? A Yes sir.
Q What became of him? A He went to Arkansas.
Q Went along with his parents? A Yes sir.
Q Do you know Richard Walls? A Yes sir; he is the oldest boy.
Q Where was he born? A Right there at home.
Q When did he go to Arkansas? A He went with his father

Q Did you know his child called Tony Walls? A I have heard of him; I have always heard of him; I didn't know him.
Q You don't know where he was born? A He was born in the State.

BY MR JACKSON

Q If William Walls had run away during the war you would have been likely to have known of it wouldn't you? A Yes sir
Q You are sure he was a slave during the war? A Yes sir.
Q He was a slave of Peter Pitchlynn wasn't he? A Yes sir.
Q He was the slave of Peter Pitchlynn when he was freed at the end of the war wasn't he? A Yes sir.

BY THE COMMISSION.

Q Whose slave were you? A Peter Pitchlynn.
Q Did you and William Walls belong to the same Master? A Yes sir.
Q Belonged to the same man? A Yes sir
Q Were you and he both in the same yard? A Part of the time we was and part of the time we wasn't.

RICHARD WALLS
Being first duly sworn testified as follows:

EXAMINATION BY THE COMMISSION.

Q What is your name? A Richard Walls.
Q How old are you? A 36 years old.
Q What relation are you to William Walls? A I am his son.
Q What is your post office address? A Brownstown, Arkansas.
Q What is your mother's name? A Lucy Walls.
Q Where were you born? A I was born at Eaglestown in the Choctaw Nation.
Q How long did you live there? A I lived there about 17 years.
Q Where did you go to then? A Arkansas.
Q With your father and mother? A Yes sir.
Q Been there ever since? A Yes sir.
Q Are you married? A Yes sir.
Q What is your wife's name? A Sallie Walls.
Q Where were you married? A In Arkansas.
Q Was your wife a slave? A No sir not since I was knowing her.
Q Was she ever claimed any rights as a Choctaw freedman or a Chickasaw freedman? A No sir.
Q Has she ever claimed any right of any tribe in the Indian Territory? A No sir.
Q Did you have any children living on September 25, 1902? A Yes sir.
Q What are their names? A Ophelia, Harriet, Mary, Sallie, Andrew Edward, Isabella and Queen Esther. Mary is dead.
Q When did she die? A She died December 14, 1902.
Q Are these other children all living? A They are all living but Mary and Mary J.

Q Were you married to Callie? A Yes sir.
Q Where were you married to her? A In Arkansas.
Q Were you married by a preacher? A Yes sir we was married by a preacher.
Q How many times have you been married? A Once.
Q What was Callie's maiden name? A Callie Carr.
Q Do you know Solomon Walls? A Yes sir.
Q What relation is he to you? A He's my brother.
Q Full brother-- same mother and father? A Yes sir.
Q What are their names? A William Walls and Lucy Walls.
Q Is Solomon Walls living? A Yes sir.
Q Why isn't he here to-day? A He was sick in bed when I left.
Q Do you know where Solomon was born? A Yes sir he was born at Eagletown.
Q How long did he live in the Choctaw Nation? A About 17 years.
Q Did he go along with your father and mother to Arkansas?
A Yes sir
Q Is he married? A Yes sir.
Q To whom is he married? A Ada Walls.
Q Does she claim any rights as a freedman of any tribe in the Territory? A No sir she never has applied.
Q Has Solomon Wall any children? A Yes sir.
Q What are the names of his children that were living September 25, 1902? A Ora, Kate, Columbus and Hazel.
Q Who is the mother of these children? A Ada Walls.
Q Was Solomon Wall married more than once? A No sir only once.
Q It is a matter of fact is it not, that your father William Walls, his wife Lucy Walls, your brother Solomon Walls, and your brother Tony Walls and yourself have been living in the State of Arkansas for at leats the past 15 years last past? A Yes sir.
Q Is it not a fact that all the children of Solomon Walls and your own children were born and raised in the State of Arkansas and have never lived in the Territory at all?
A Yes sir.

The application of Lucy Walls for enrollment as a freedman of the Choctaw Nation is withdrawn. Application [illegible] A [illegible] of [illegible]

[illegible] attorney for applicants in which to file [illegible].

Mattie V. Vaught stated upon oath that as stenographer to the Commission to the Five Civilized Tribes she correctly recorded the testimony in the above entitled cause and that the foregoing is an accurate transcript of her stenographic notes thereof.

Mattie V. Vaught

Subscribed and sworn to before me this [illegible] day of December [illegible]

17-D-[illegible]
17-D-[illegible]
17-D-[illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of William Walls, et al as Choctaw Freedmen, consolidating the applications of-

Richard Walls, et al 17-D-[illegible]
Solomon Walls, et al 17-D-[illegible]
William Walls, et al 17-D-[illegible]

---:DECISION:---

It appears from the record herein that on November 2[illegible], 190[illegible], application was made to this Commission for the enrollment of William Walls, Lucy Walls, and their minor son, [illegible] Walls, seventeen years of age, Richard Walls and his minor children, [illegible] Walls, fourteen years of age, Henrietta Walls, twelve years of age, [illegible] Walls, ten years of age, [illegible] Walls, [illegible] years of age, Isabella Walls, four years of age, [illegible] Walls, two years of age, and [illegible] Walls (a[illegible] [illegible]), [illegible] year of age, Solomon Walls and his minor children, [illegible] Walls, thirteen years of age, [illegible] Walls, [illegible] years of age, [illegible] [illegible] Walls, two years of age, as Choctaw freedmen. [illegible] proceedings were had in the matter of said application at [illegible], Indian Territory, on [illegible], 190[illegible].

It further appears from the record herein that the said William Walls was a slave of one [illegible], a Choctaw citizen, [illegible] of the [illegible] of the War of the Rebellion; [illegible] of the said William Walls [illegible] in the Choctaw Nation and [illegible] about the year 18[illegible], when he removed to the State of Arkansas, where he has [illegible] including September 25, 18[illegible], [illegible] slave [illegible] of the War of the Rebellion, and [illegible] son of the said William Walls and Lucy Walls, [illegible] Walls, was born in the State of Arkansas and has never resided in the Indian Territory.

[illegible] from the record herein that Richard Walls [illegible] the said Isabella Walls, Henrietta [illegible] Walls, Isabella Walls, [illegible] the said Richard Walls was born in the Choctaw Nation and resided therein until about the year [illegible], when he removed to the State of Arkansas with his [illegible] said William Walls, where he continued to reside up to and including September 25, 18[illegible], that his said [illegible] were born in the State of Arkansas and have never lived in the Indian Territory.

It further appears from the record herein that the said Solomon Walls was born about the year 1[illegible], and claims the right to enrollment as a Choctaw Freedman through his father, said William Walls; that the said Ora Walls, Harvey Walls, Columbus Walls and Hazel Walls are the minor children of the said Solomon Walls; that said Solomon Walls was born in the Choctaw Nation and resided therein until about the year 1[illegible], when he removed to the State of Arkansas with his father, said William Walls, where he continued to reside up to and including September 25, 1902; that his said minor children were born in the State of Arkansas, and have never lived in the Indian Territory.

It is, therefore, the opinion of this Commission that William Walls, Lucy Walls, Tony Walls, Richard Walls, Ophelia Walls, Henrietta Walls, Ira Henry Walls, Ecola Walls, Isabella Walls, Edward Walls, Green Peter Walls, Solomon Walls, Ora Walls, Harvey Walls, Columbus Walls and Hazel Walls are not entitled to be enrolled as Choctaw Freedmen, and that the application for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

Commissioner to the Five Civilized Tribes.

Chairman.

Commissioner.

C. R. Breckinridge
Commissioner.

Muskogee, Indian Territory.

MAY 23 1905

17-D-183

Muskogee, Indian Territory, May 23, 1905.

COPY.

Richard Walls,

Brewerville, Arkansas.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 23, 1905, denying the application for the enrollment of yourself and children, Ophelia Walls, Henrietta Walls, Ira Henry Walls, Zoola Walls, Isabella Walls, Edward Walls and Queen Ester Walls, as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

TAS. B. SHARP

Chairman.

Enclosures.

Encl. 17-D-183
17-D-184
17-D-200

17-2-128

Muskogee, Indian Territory, May 23, 1908.

COPY.

Solomon Walls,

[illegible], Arkansas.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 23, 1908, denying the application for the enrollment of yourself and children, Ora Walls, Dorsey Wills, Goldsine Walls and Hazel Walls as Freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon after transmittal of the same.

[illegible]

SIGNED

Tams Bixby

Chairman.

Enclosure.
[illegible]

17-3-200

Muskogee, Indian Territory, May 23, 1908.

COPY.

William Wells,

[illegible], Arkansas,

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 23, 1908, denying the application for the enrollment of yourself, your wife, Lucy Wells, and your son, Tony Wells, as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

[illegible]

Very [illegible]

Tams Bixby

Commissioner.

17-S-143
17-S-144
17-S-[illegible]

Muskogee, Indian Territory, May 25, 1904.

COPY.

G. W. Jackson,
Attorney at Law,
[illegible]

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 23, 1904, denying the application for the enrollment of William Walls, Lucy Walls, Tony Walls, Richard Walls, Ophelia Walls, Henrietta Walls, Ira Henry Walls, Louis Walls, Franklin Walls, Edward Walls, Queen Esther Walls, Solomon Walls, Ora Walls, Herbert Walls, Celestine Walls and Hazel Walls as Choctaw freedmen.

The evidence, [illegible] record of proceedings in the case, [illegible] for review. The final decision of the Secretary will be made, [illegible] the Commission to Enrolled of this date.

Respectfully,

[illegible]

Secretary.

[illegible]

17-2-182
17-2-183
17-2-200

Muskogee, Indian Territory, May 23, 1905.

COPY.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered May 23, 1905, denying the application for the enrollment of William Walls, Lucy Walls, Tony Walls, Richard Walls, Ophelia Walls, Henrietta Walls, Ira Emery Walls, Leola Walls, Isabella Walls, Edward Walls, Queen Esther Walls, Solomon Walls, Ora Walls, Margaret Walls, Solomon Walls and Ethel Walls as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Tams Bixby

Chairman.

Encl. 17-2-182
17-2-183
17-2-200.

Muskogee, Indian Territory, May 23, 1904.

COPY.

The Honorable,

The Secretary of the Interior,

Sir:

There is herewith transmitted the record of proceedings in the matter of application for enrollment as member freedman of William Walls, Ben Walls, Ben Walls, Robert Walls, Cynthia Walls, Benjamin Walls, Ira Henry Walls, Hosea Walls, Kendall Walls, Edward Walls, Rose Anderson, Hudson Walls, Eva Walls, Joseph Walls, Wesley Walls and Hank Walls, including the testimony and evidence, given May 23, 1904, covering said applicants.

Respectfully,

(Signed) Tams Bixby

Commissioner.

Enclosure: Proceedings, testimony and evidence.

D-C-36820-1905.

DEPARTMENT OF THE INTERIOR, MCP-EHE

I. T. D. 8100-1905.
J.P.

Washington, July 27, 1905.

Commissioner to the
Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

May 23, 1905, the Commission to the Five Civilized Tribes transmitted the record in the consolidated Choctaw freedman case of William Walls, et al, involving the applications of William, Lucy, Tony, Richard, Ophelia, Henrietta, Ivy Emery, Zoola, Isabella, Edward, Queen Esther, Solomon, Ora, Earnest, Columbus and Hazel Walls, including its decision of the same date, denying said applications.

Reporting July 6, 1905, the Indian Office recommends that the decision of the Commission be approved. A copy of its letter is inclosed.

The Department concurs in [illegible] decision is hereby affirmed.

Respectfully,

THOS. RYAN,

Acting Secretary.

1 inclosure.

D.C.S.M.-1205.

Refer in reply to the following:
Land
40831-1905.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, July 6, 1905.

The Honorable,
The Secretary of the Interior:

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated May 23, 1905, transmitting the record of the consolidated applications for enrollment as Choctaw Freedmen by William Walls, Lucy Walls, and their minor son, Tony Walls; by Richard Walls for himself and his minor children, Ophelia, Henrietta, Ira Emory, Zoola, Isabella, Edward and Queen Ester (as Sister) Walls; by Solomon Walls for himself and his minor children, Ora, Bernard, Columbus and Hazel Walls.

May 23, 1905, the Commission decided adversely to all the applicants.

The record shows that William Walls was a slave of a Choctaw citizen during the [illegible] of the survey of the [illegible] and [illegible] Nation [illegible] Arkansas where he was enumerated by census, [illegible] including September 25, [illegible] Lucy Walls was not a slave of a Choctaw citizen [illegible] purpose it said was, and that Tony Walls is the [illegible] Tony Walls, born in Arkansas and has

never lived in the Indian Territory. It further appears that Richard Walls was born about 1867 and claims right to enrollment as a Choctaw freedman through his father, the said William Walls; that the applicants, Ophelia, Henrietta, Ira Cecil, [illegible] Isabella, Edward and Queen Ester Walls are the minor children of Richard Walls; that Richard Walls was born in the Choctaw Nation and resided therein until about 1885 when he removed with his father to the State of Arkansas where he continued to reside up to and including September 25, 1902; that his said minor children were born in the State of Arkansas and have never lived in the Indian Territory.

It is further shown that Solomon Walls was born about 1869 and claims right to enrollment through his father, William Walls, that the other applicants are the minor children of Solomon Walls; that [illegible] resided therein until about 1885 when he removed with his father to the State of Arkansas where he continued to reside up to and including September 25, 1902; that his children were born in the State of Arkansas and have never lived in the Indian Territory.

In view of the record the approval of the Commission's decision adverse to all the applicants is recommended.

Very respectfully,

G. F. Larrabee,

Acting Commissioner.

M.M.M.(W)

[illegible]

Muskogee, Indian Territory, August 1, 1908.

[illegible] COPY.

[illegible]

[illegible]

[illegible] the Secretary of the Interior [illegible] July 27, 1908, [illegible] the decision of the Commission to the Five Civilized Tribes rendered May 23, 1908, denying the application for the enrollment of yourself and children, Opelia, Tonsie [illegible], Ira Perry, Lewis, Isabella, Henry and Queen Pete Wells, as Creek freedmen.

Respectfully,

Signed Tonsie Pete

[illegible]

17-[illegible]

Muskogee, Indian Territory, August 1, 1905.

COPY.

Mr. [illegible] Wells,

[illegible], Arkansas.

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of July 27, 1905, affirmed the [illegible] of the Commission to the Five Civilized Tribes, rendered May 23, 1905, denying the application for the enrollment of yourself and children, Ora, Burnett, Columbus and Ezzel Wells, as Chestaw freedmen.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Muskogee, Indian Territory, August 6, 1908.

[illegible]

[illegible] the Secretary of the Interior [illegible] the decision of the Commission [illegible] December 23, 1908, [illegible] [illegible] of [illegible], [illegible] [illegible] [illegible] Tribunal.

Respectfully,

SIGNED

Tams Bixby

Commissioner.

Muskogee, Indian Territory, August 1, 1908.

COPY

[illegible]

[illegible]

[illegible], Arkansas.

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of July 27, 1908, affirmed the decision of the Commission to the Five Civilized Tribes, rendered May 22, 1908, denying the application for enrollment of William Wells, Mary Wells, Tony Wells, [illegible] Wells, Wahalis Wells, Henrietta Wells, Ive Mary Wells, Zola Wells, [illegible] Wells, [illegible] Wells, Queen Ester Wells, Soldier Wells, [illegible] Wells, [illegible] Wells, Sampson Wells and Maggie Wells, as Chickasaw freedmen.

[illegible]

SIGNED

Tams Bixby

Commissioner.

[illegible]

Muskogee, Indian Territory, August 1, 1908.

COPY.

[illegible], Mahurry & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of July 27, 1908, affirmed the decision of the Commission to the Five Civilized Tribes, rendered May 23, 1908, denying the applications for the enrollment of William Walls, Lucy Walls, Tony Walls, Richard Walls, Ophelia Walls, Henrietta Walls, Ivy Henry Walls, Roola Walls, Isabella Walls, Howard Walls, Golden Baker Walls, Solomon Walls, Ora Walls, Harvest Walls, Columbus Walls and Hazel Walls, as Choctaw freedmen.

Respectfully,

SIGNED

Tams Bixby

Commissioner.

[illegible]

[illegible], Indian Territory, August 20, 1894.

[illegible]

[illegible]

[illegible]

[illegible] on September [illegible], [illegible] [illegible], Dickinson, Indian Territory, [illegible] September [illegible], 1894.

If you so desire, you may appear at one of the above named [illegible], together with such witnesses as you may be able to produce, for the purpose of testifying relative to your rights [illegible] claims of your children as Choctaw freedmen, or you may [illegible] for this purpose at the general office of the Commission [illegible], Indian Territory at any time.

[illegible]

[illegible]

[illegible]

17-D-300

Muskogee, Indian Territory, October 19, 1904.

J. H. Jackson,

Attorney at Law,

DeQueen, Arkansas.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 12th instant, stating that William Wells and Rose Wells, Mary Johnson, Rose Reed and Alice Valentine daughters of William Wells were notified to meet the Dawes Commission at Atoka, Indian Territory, but on account of sickness and high water they were unable to do so. You state that Rose Reed and Alice Valentine have each two children to be enrolled and they desire to know what steps it will be necessary for them to take to have said children placed on the roll, requesting blanks for that purpose together with information for the proper execution of the same.

You are advised that the Commission is unable to identify Mary Johnson, Rose Reed and Alice Valentine daughters of William Wells, as applicants for enrollment as Choctaw freedmen. It does appear from the testimony that at the time of the taking of the census of the Choctaw Nation, Mary Johnson, Rose Reed and Alice Valentine were living with their father, William Wells, who was a citizen of the Choctaw Nation and who was enrolled as such. Their names appeared on the census roll of the Choctaw Nation, and they were enrolled on the roll of the Choctaw Nation, and were recognized as such by the Choctaw Nation and by the United States Government, and were allotted as such. The Commission has no authority to enroll persons who were recognized as citizens of the Choctaw Nation and who were allotted as such.

J. H. J. #8

of the Choctaw Nation. No other evidence was furnished by him at that time in support of his application and under date of August 19, 1904, William Walls was advised that if he desired to do so he would be permitted to appear with such witnesses as he was able to procure for the purpose of testifying relative to the rights of himself and family as freedmen of the Choctaw Nation. It is not of record that William Walls or any witnesses in his behalf appeared before the Commission at its appointments at Atoka, Indian Territory, September 6 and 7, 1904, or Tishomingo, Indian Territory, September 8 and 9, 1904. If William Walls now desires to offer further testimony in support of the application made for his enrollment and that of his wife and minor son as Choctaw freedmen, he and his witnesses will be heard upon their personal appearance before the Commission at its office in Muskogee, Indian Territory, at any time in the near future. It is important, however, that such appearance be made with as little [illegible]

Respectfully,

Chairman.

17-D-193

Muskogee, Indian Territory, August 12, 1908.

Chief Clerk,
Choctaw Land Office,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 8, 1908, stating that the name of Queen Esther Walls does not appear on your list of undetermined applicants for enrollment as a Choctaw freedman on card No. 17-D-193; that the name of Sister Walls, however, appears as the last named person on said card and you ask to be advised if Queen Esther Walls and Sister Walls are identical.

In reply to your letter you are advised that Queen Esther Walls is identical with Sister Walls and the name of Sister Walls should be cancelled from your list of undetermined applicants for enrollment as Choctaw freedman.

Respectfully,

Acting Commissioner.

W.O.S.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEBLETT,
C. R. BECKINRIDGE.
WM. O. BEALL,
Secretary.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
Choctaw Freedman
D 200

Muskogee, Indian Territory, December 31, 1904,

J. H. Jackson,

Troy, Tennessee,

Dear Sir:

Receipt isherebyacknowledged of your letter of December 28, asking for thirty days additional time within which to file brief in the case of William Walls, a Choctaw freedman.

You are advised that you will be allowed twenty days from this date within which to submit brief in the matter of the application of William Walls for the enrollment of himself and his family as Choctaw freedmen.

Respectfully,

Chairman.

REFUSED

DECISION RENDERED. MAY 23 1905

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. MAY 23

NOTICE OF DECISION FORWARDED ATTORNEY FOR APPLICANTS. MAY 23 1905

COPY OF DECISION FORWARDED APPLICANT

MAY 23 1905

RECORD FORWARDED DEPARTMENT.

MAY 23 1905

ACTION APPROVED BY SECRETARY OF INTERIOR.

JUL 27 1905

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS.

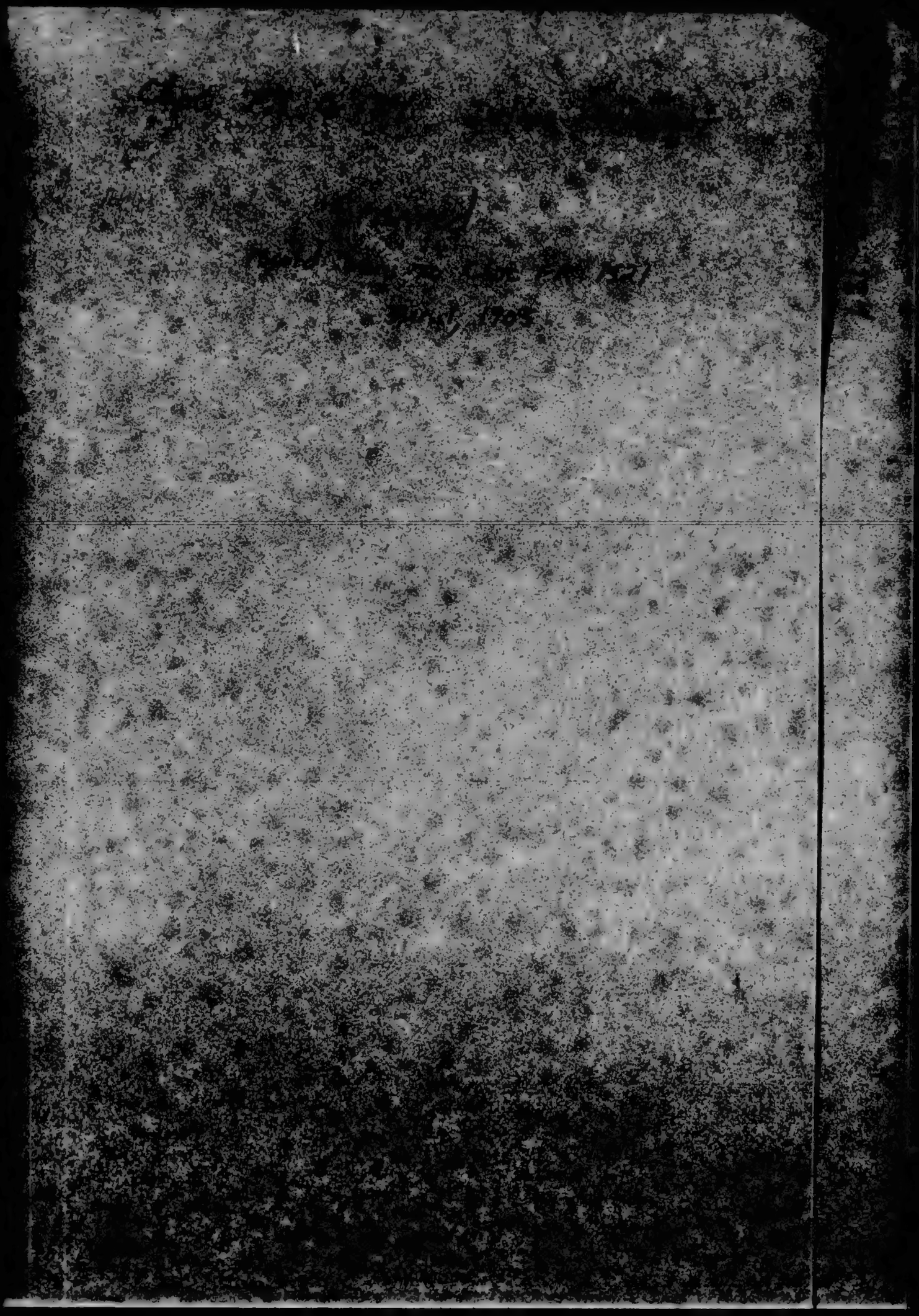
AUG -1 1905

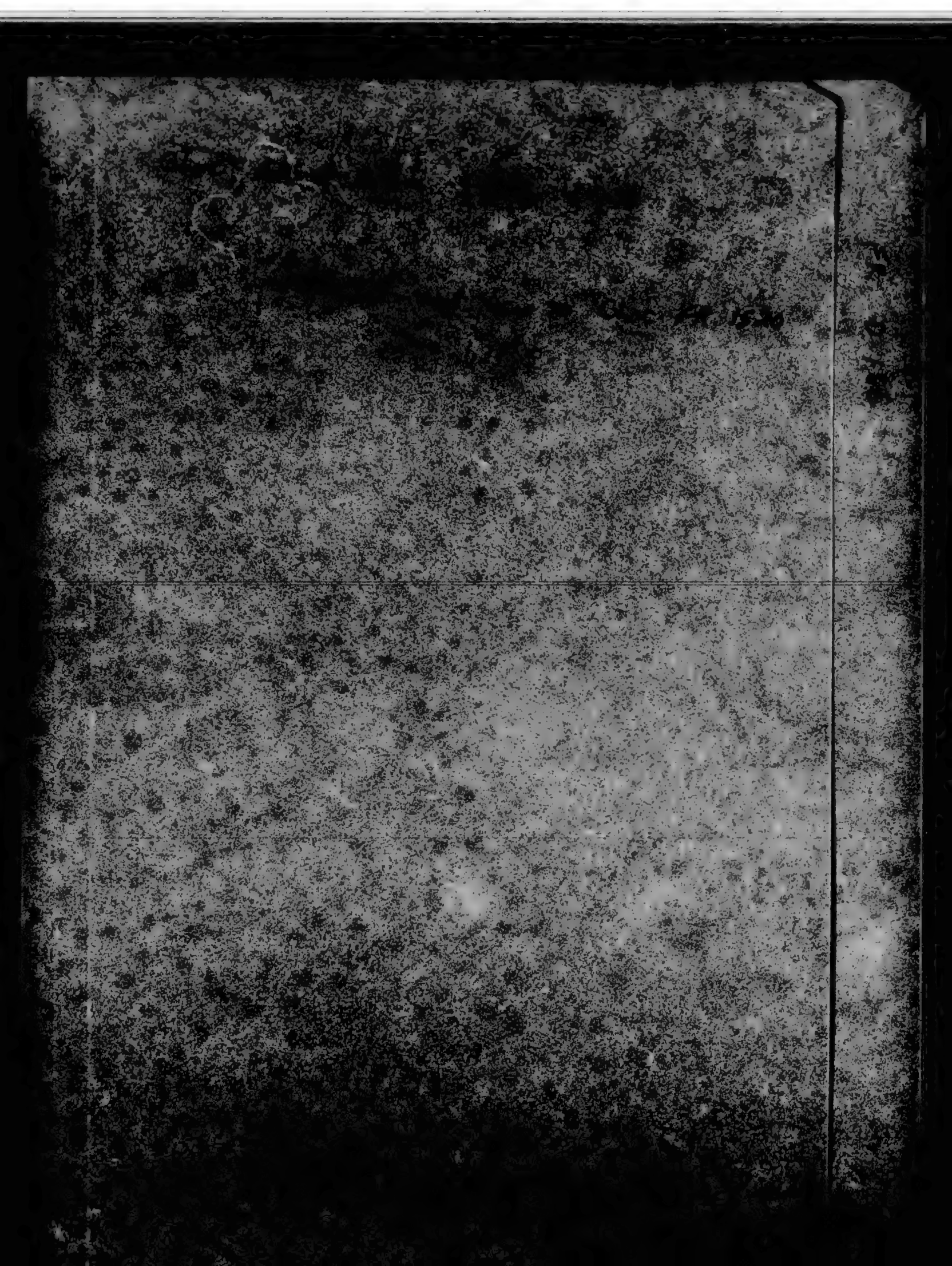
NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEY FOR APPLICANT.

AUG -1 1905

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANTS

AUG -1 1905





FR D-187

Choctaw Freedmen
[illegible]

Department of the Interior.
Commission to the Five Civilized Tribes.
Garvin, I. T., November 26th, 1902.

In the matter of the application of James Monroe Williams for the enrollment of himself and his four minor children, James Monroe, Jr., Willie, Amelia and Robert Williams, as freedmen of the Choctaw Nation.

James Monroe Williams being first duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A James Monroe Williams.
Q How old are you? A I am forty-five, died of last August.
Q What is your post office address? A Garvin.
Q How long have you been a resident of the Choctaw Nation? A I just came in since the opening of this home here; I was here in '83 and '84 at Stringtown and left in '85 and never came back until this year.
Q Where did you go in '85? A I went to Paris, Texas. My mother moved from Atoka the next year after the war, after they was freed. She moved to Paris, Texas and there she called that her home until she died; she died in Paris.
Q You lived with her there? A Until the 9th of August, '85 I left and was gone ten years.
Q Then since your mother took you to Texas soon after the war, you have not lived in the Choctaw Nation or in the Territory up until a few months ago? A No sir, only the time I put in in Stringtown, and I went there during the winter of '83 and stayed there during '84.
Q This is the only two years you lived here? A Yes sir.
Q Been out in the states all the time here you? A Yes sir.
Q And you returned home some time this year? A Yes sir, in the spring.
Q What is the name of your father? A Anderson Williams.
Q [illegible] A Yes sir.
Q [illegible] A [illegible]
Q [illegible] your mother? A Frances Catherine Williams. [illegible] they called her Fannie for short.
Q [illegible] A No sir, she died the 16th of September, [illegible]
Q [illegible] freedman? A Yes sir, when she was set free she was [illegible]
Q [illegible] the name of your father's owner? A [illegible]
Q [illegible] A No sir, I don't; they called [illegible] Bill Williams and Tom Williams some name he was by [illegible]

Q Were they the children of her master? A Yes sir.
Q Was this Winters an Indian? A Yes sir, the girl and boy both were Indians.
Q What tribe of Indians was he a member of? A Choctaw.
Q Where did he live during slavery time? A I don't know exactly where but it was up at Atoka; my mother always called that place.
Q Was your mother living there on Winters' place before the war? A Yes sir.
Q Where was Freed? A She was freed over about Atoka at Winters'.
Q Were you a child? A Yes sir.
Q Who was your master? A I suppose mother's master was my master--Winters.
Q This same man? A Yes sir.
Q Did you live on his place before the war and during the war? A I suppose I did; I was quite small.
Q Were you freed right there on his place? A Yes sir.
Q How long did you and your mother live there after you were freed? A Well, sir, I don't know; I couldn't tell how long she did stay there; she stayed there though a while, well, until the next year anyway, the next year she went to Texas.
Q Your mother never lived in the Territory after that? A No sir, and I don't think she ever came back over here but once after that. She had a son and said she came here after and a couple or three months.
Q Are you married? A Yes sir.
Q What is the name of your wife? A Lillie.
Q Is she a freedman? A Yes sir.
Q Of what Nation? A No, states woman.
Q Have you any children? A Four by this present wife; first wife one.
Q What was the name of your first wife? A Laura.
Q Was she a non-citizen also? A Yes sir.
Q What is the name of your oldest child? A Willie.
Q How old is he? A He's -- he was born in 1880, March the 2nd.
Q Twenty-two years old is he? A Twenty-two past.
Q All the rest of your children minors? A Yes sir, little fellows; I believe the oldest one is about six years old; born in '98.
Q What is the name of the oldest? A Of the little fellows?
Q The oldest of the last wife's children? A His name is James Monroe Williams, named him after me.
Q How old is he? A He was born in '96, the 11th of January.
Q What is the name of the next one? A Her name is Lillie.
Q How old is she? A She was born in '97, November eight-Seventeen days.
Q What is the name of the next one? A It's name is Mollie; I don't know what he was born.
Q How old is he? A He's three years old.
Q What is the name of the next one? A His name is Robert.
Q How old is he? A He was born last September a year ago, last September the 6th I think -- a year ago.
Q That is all of your children? A Yes sir.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Subscribed and sworn to before me this 8th day of December, 1909.

H. Cohen

Notary Public.

17-D-187

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment of James Monroe Williams and his minor children as Choctaw Freedmen.

--: D E C I S I O N :--

It appears from the record herein that on November 28, 1902, application was made to this Commission for the enrollment of James Monroe Williams and his minor children, James Monroe Williams, six years of age, Lillie Williams, five years of age, Leslie Williams, three years of age, and Robert Williams, one year of age, as Choctaw Freedmen.

It further appears from the record herein that James Monroe Williams was a slave of Ike Pack Winters, a recognized Choctaw citizen, during and at the close of the Civil War, and that the said James Monroe Williams was not a resident in good faith of the Indian Territory on June 28, 1898, nor for several years prior thereto.

It further appears from the record herein that James Monroe Williams, Lillie Williams, Leslie Williams and Robert Williams are the minor children of the principal applicant herein; that they were born in the State of Texas, and have made their home with their father since the dates of their respective births up to and including September 28, 1902.

It is, therefore, the opinion of this Commission that James Monroe Williams, James Monroe Williams, Lillie Williams, Leslie Williams and Robert Williams are not entitled to be enrolled as Choctaw Freedmen, and that the application for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898, (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Commissioner.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
MAY 19 1905

17-D-187

Muskogee, Indian Territory, May 18, 1905.

Copy

[illegible] Williams,

Garvin, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 18, 1905, denying the application for the enrollment of yourself, and children, James Monroe Williams, Lillie Williams, Leslie Williams and Robert Williams, as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED

Tams Bixby,

Chairman.

Enclosure.

Final Ex-D-187.

17-D-187

Muskogee, Indian Territory, May 19, 1905.

COPY.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission rendered May 19, 1905, denying the application for the enrollment of James Monroe Williams, James Monroe Williams, Lillie Williams, Leslie Williams and Robert Williams as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED Tams Bixby

Incl. 17-D-187. Chairman.

Muskogee, Indian Territory, May 19, 1908.

COPY

The Honorable,

The Secretary of the Interior,

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Jesse Monroe Williams, James Monroe Williams, Lillie Williams, Leslie Williams and Robert Williams, as Choctaw freedmen, including the decision of the Commission, dated May 19, 1908, denying said application.

Respectfully,

SIGNED Tams Bixby

Chairman.

Encl. 17-B-157.

17-D-187

Muskogee, Indian Territory, July 8, 1905.

James Monroe Williams,

Garvin, Indian Territory,

COPY.

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of June 28, 1905, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 19, 1905, denying the application for the enrollment of yourself, and children, James Monroe Williams, Lillie Williams, Leslie Williams and Robert Williams, as Choctaw freedmen.

Respectfully,

SIGNED
Tams Bixby

1 11

17-D-[illegible]

Muskogee, Indian Territory, July 6, [illegible]

[illegible], Murray & Gordon,

Attorneys for Chickasaw Citizens, [illegible],

South Bowlegs, Indian Territory.

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of June [illegible], 1906, affirms the decision of the Commission to the Five Civilized Tribes, dated May 19, 1906, denying the application for the enrollment of James Monroe Williams, James Monroe Williams, Lillie Williams, Leslie Williams and Robert Williams, as Choctaw freedmen.

Respectfully,

Tams Bixby

SIGNED

DEPARTMENT OF THE INTERIOR,
W.C.F.

WASHINGTON, FEB.

P.C. [illegible]-1905, June 26, 1905.
I.T.D. [illegible]-1905.

LMS

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory,

Gentlemen:

May 19, 1905, you transmitted the record in the matter of the application for the enrollment of James Monroe Williams and his minor children, James Monroe Jr., Lillie, Leslie and Robert Williams, as Choctaw freedmen, including your decision of the same date, denying said application.

Reporting May 31, 1905, the Indian Office recommends that your decision be approved. A copy of its letter is inclosed.

[illegible] your decision is hereby affirmed.

Respectfully,

4 Inclosures. (signed) E. A. Hitchcock
Secretary.

[illegible]

[illegible]

[illegible]

WASHINGTON, May 21, [illegible]

[illegible]

[illegible]

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated May 19, 1906, transmitting the record of the application for enrollment as Choctaw Freedmen by James Monroe Williams for himself and his minor children, James Monroe, Lillie, Leslie and Robert Williams.

May 19, 1906, the Commission decided adversely to the applicants.

[illegible] The record shows that the principal applicant was the [illegible] of the Indian Territory on June 26, 1898, nor for [illegible] years [illegible] James Monroe, Lillie, Leslie [illegible] Williams [illegible] Robert Williams, born in the State of [illegible] and have lived their entire lives in the Indian Territory [illegible] 28, 1897.

[illegible] the Commissioner's [illegible]

[illegible]

[illegible]

Choctaw Freedman
D 187.

Muskogee, Indian Territory, March 21, 1903.

James Monroe Williams,
Garvin, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 6, asking the status of your application for enrollment as a Choctaw freedman.

In reply to your letter you are advised that it appears from our records that you and your four minor children have been listed among the doubtful claimants to enrollment as Choctaw freedmen and your final right to such enrollment has not yet been determined. As soon as a decision is reached in your case you will be notified of the action of the Commission.

Respectfully,

Chairman.

17-pa107.

Muskogee, Indian Territory, August 20, 1904.

James Monroe Williams,

Marrin, Indian Territory.

Dear Sir:

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 5-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory on September 8-9, 1904.

If you so desire, you may appear at one of the above named appointments, together with such witnesses as you may be able to procure, for the purpose of testifying relative to the rights of yourself and children to allotment freedom, or you may appear for this purpose before the Commission at its general office, Muskogee, Indian Territory at any time.

Respectfully,

Chairman.

DECISION RENDERED

MAY 19 1905

REFUSED

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS.

MAY 19 1905

COPY [illegible] ION FORWARDED
APPLICANT

MAY 19 1905

RECO[illegible] [illegible]ED DEPARTMENT.

MAY 19 1905

ACTION APPROVED BY
SECRETARY OF INTERIOR.

JUN 28 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JUN -8 1905

NOTICE OF [illegible]
ACTION MAILED APPLICANTS

JUN -8 1905

Chas. F. Burr Schools walls

Retired May 25, 1905

CWP

17-D-188.
17-D-188.
17-D-200.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPY.

In the matter of the application for the enrollment of William Walls, et al as Cheetaw Freedmen, consolidating the applications of-

Richard Walls, et al 17-D-188.
Solomon Walls, et al 17-D-188.
William Walls, et al 17-D-200.

-- : D E C I S I O N : --

It appears from the record herein that on November 28, 1902, application was made to this Commission for the enrollment of William Walls, Lucy Walls, and their minor son, Tony Walls, seventeen years of age, Richard Walls and his minor children, Ophelia Walls, fourteen years of age, Henrietta Walls, twelve years of age, Iva Mary Walls, ten years of age, Zeola Walls, six years of age, Isabella Walls, four years of age, Edward Walls, two years of age, and Queen Esther Walls (as Sister Walls), one year of age, Solomon Walls and his minor children, Ora Walls, thirteen years of age, Harvest Walls, eight years of age, Columbus Walls, three years of age, and Hazel Walls, two years of age, as Cheetaw Freedmen. Further proceedings were had in the matter of said applications at Muskogee, Indian Territory, on December 9, 1904.

It further appears from the record herein that the said William Walls was a slave of one Peter Pitchlynn, a Cheetaw Citizen, during and at the close of the War of the Rebellion; that at the close of the war said William Walls resided in the Cheetaw Nation and continued to reside therein until about the year 1869, when he removed to the State of Arkansas, where he has continued to reside since said date up to and including September 25, 1902; that the said Lucy Walls was not a slave of a recognized Cheetaw citizen, during or at the close of the War of the Rebellion, and that Tony Walls is the minor son of the said William Walls and Lucy Walls; that said Tony Walls was born in the State of Arkansas and has never resided in the Indian Territory.

It further appears from the record herein that Richard Walls was born about the year 1867, and claims the right to enrollment as a Cheetaw Freedman through his father, the said William Walls; that the said Ophelia Walls, Henrietta Walls, Iva Mary Walls, Zeola Walls, Isabella Walls, Edward Walls and Queen Esther Walls are the minor children of the said Richard Walls; that said Richard Walls was born in the Cheetaw Nation and resided therein until about the year 1869, when he removed to the State of Arkansas, where he resided with his said William Walls, where he continued to reside up to and including September 25, 1902; that his said minor children were born in the State of Arkansas and have never lived in the Indian Territory.

It further appears from the record herein that the said Solomon Walls was born about the year 1869, and claims the right to enrollment as a Choctaw Freedman through his father, said William Walls; that the said Ora Walls, Earnest Walls, Columbus Walls and Hazel Walls are the minor children of the said Solomon Walls; that said Solomon Walls was born in the Choctaw Nation and resided therein until about the year 1888, when he removed to the State of Arkansas with his father, said William Walls, where he continued to reside up to and including September 25, 1902; that his said minor children were born in the State of Arkansas, and have never lived in the Indian Territory.

It is, therefore, the opinion of this Commission that William Walls, Lucy Walls, Tony Walls, Richard Walls, Ophelia Walls, Henrietta Walls, Iva Emory Walls, Zoola Walls, Isabella Walls, Edward Walls, Queen Ester Walls, Solomon Walls, Ora Walls, Earnest Walls, Columbus Walls and Hazel Walls are not entitled to be enrolled as Choctaw Freedmen, and that the application for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SIGNED Tams Bixby
Chairman.

SIGNED T. B. Needles
Commissioner.

SIGNED C. R. Breckinridge
Commissioner.

Muskogee, Indian Territory.

MAY 23 1905

17-D-188

Muskogee, Indian Territory, May 23, 1906.

COPY.

Walls,

Fayetteville, Arkansas.

Enclosed herewith you will find a copy of the decision of this Commission in the Five Civilized Tribes, rendered May 21, 1906, upon the application for the enrollment of yourself and Ben Walls, Herbert Walls, Columbus Walls and Hazel Walls as freedmen.

The decision, with the record of proceedings in the case, has been transmitted to the Secretary of the Interior for his final decision of the Secretary will be made known as soon as the Commission is informed of the same.

Respectfully,

Tams Bixby,

Commissioner.

[illegible]-D-[illegible]
17-D-188
[illegible]-D-[illegible]

Washington, Indian Territory, May [illegible], 1898.

J. H. Jackson,

Attorney at Law,

DeQueen, Arkansas.

COPY.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 23, 1898, admitting the applications for the enrollment of William Walls, Lucy Walls, Mary Walls, Mandine Walls, Cynthia Walls, Douglas Walls, Eva Mary Walls, Enola Walls, Lucinda Walls, Edward Walls, Queen Esther Walls, Solomon Walls, Ora Walls, Earnest Walls, Columbus Walls and Hugh Walls as Chickasaw freedmen.

The decision, with the record of proceedings in the case, is now transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is advised of the same.

Respectfully,

Signed

Tams Bixby

Chairman.

17-D-183
17-D-188
17-D-200

Muskogee, Indian Territory, May 27, 1903.

COPY.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered May 23, 1903, denying the application for the enrollment of William Walls, Lucy Walls, Tony Walls, Richard Walls, Ophelia Walls, Henrietta Walls, Iva Emery Walls, Susie Walls, Isabella Walls, Edward Walls, Queen Esther Walls, Solomon Walls, Ora Walls, Earnest Walls, Columbus Walls and Hazel Walls as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED

[redacted] Bixby

Chairman.

Incl. 17-D-183
17-D-188
17-D-200

[illegible] Penitentiary, May [illegible], 1[illegible].

COPY.

The Honorable,

The Secretary of the Interior,

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for commutation of Charles Francis, of William Wills, Jesse Wills, Guy Wills, Richard Wills, Cynthia Wills, Katherine Wills, Ava Mary Wills, Lucie Wills, Isabella Wills, Richard Wills, Hard Jesse Wills, Solomon Wills, Ora Wills, Harvey Wills, Calhoun Wills and Sam Wills, including the dissenting side of the terminating date May 30, 1906, Anyton and Wright Cases.

Respectfully,

Warden.

Tom's Butler

Superintendent of Indian Schools,

[illegible]

D-[illegible]-1905.

[illegible] DEPARTMENT OF THE INTERIOR,

I. T. D. [illegible] 1905. [illegible]

Washington, July [illegible], 1905.

Commissioner to the

Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

May 25, 1905, the Commission to the Five Civilized Tribes transmitted the record in the consolidated Choctaw freedman case of William Wells, et al, involving the applications of William, Lucy, [illegible], Richard, [illegible], Henrietta, Ivy Mary, Louis, Isabella, Edward, Green Henry, Solomon, Ora, Harvest, Columbus and Hazel Wells, including its decision of the same date, denying said applications.

Reporting July 1, 1905, the Indian Office recommends that the decision of the Commission be approved. A copy of its letter is inclosed.

[illegible] consideration, and upon [illegible] approval, [illegible].

Respectfully,

THOS. RYAN,

Enclosure. Acting Secretary.

[illegible]

[illegible] in reply to the [illegible]

[illegible]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, July 6, 1906.

[illegible]

Superintendent of the Interior.

I have the honor to transmit a report from the Commission to the Five Civilized Tribes, dated May 23, 1906, transmitting the [illegible] of the combined commissions for enrollment of Choctaw freedmen by Wilson Bills, Lane Bills, and Creek minor men, [illegible] by Blakney with his Kiowa and his minor children, Quanah, Parker, for Kaw Kaw, Kansas, Kiowa and Comanche Agency, Oklahoma, by [illegible] the [illegible] and his [illegible]

[illegible]

[illegible]

[illegible]

never lived in the Indian Territory. It further appears that Richard Wells was born about 1867 and claims right to enrollment as a [illegible] through his father, the said William Wells; that [illegible] Ophelia, Henrietta, Ira [illegible] whose [illegible] Esther Wells are the minor children of Richard Wells; that Richard Wells was born in the Choctaw Nation and resided therein until about 1888 when he removed with his father to the State of Arkansas where he continued to reside up to and including September 25, 1902; that his said minor children were born in the State of Arkansas and have never lived in the Indian Territory.

It is further shown that Solomon Wells was born about [illegible] and claims right to enrollment through his father, William Wells; that the other applicants are the minor children of Solomon Wells; that Solomon Wells was born in the Choctaw Nation and resided therein until about 1888 when he removed with his father to the State of Arkansas where he continued to reside up to and including September 25, 1902; that his children were born in the State of Arkansas and have never lived in the Indian Territory.

In view of the record and opinion of the Commissioner [illegible] adverse to all the applicants is recommended.

Very respectfully,

[illegible]

[illegible]

[illegible]

Muskogee, Indian Territory, August 20, 1898.

Colonel Bell,

Muskogee, Indian,

Dear Sir:

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Department of the Interior.
Commission to the Five Civilized Tribes.
[illegible], I. T., November [illegible], 190[illegible].

---------o0o---------

In the matter of the application of Solomon Wells for the enrollment of himself and his [illegible] minor children, [illegible], [illegible] and [illegible] as freedmen of the Choctaw Nation.

Solomon Wells being first duly sworn testified as follows:

Examination by the Commission:

Q. What is your name? A. Solomon Wells.
Q. How old are you? A. [illegible]
Q. What is your post office [illegible]? A. [illegible]
Q. How long have you lived in the State of Arkansas? A. [illegible] 1876.
Q. Do you claim the right as applicant as a freedman of the Choctaw Nation? A. Yes sir.
Q. Is that the reason you [illegible] to make application as a Choctaw freedman? A. [illegible] I would have a right by my father being a Choctaw [illegible].
Q. What is the name of your father? A. [illegible] Wells.
Q. [illegible] A. Yes sir.
Q. [illegible] A. Yes sir.
Q. [illegible] A. [illegible]
Q. [illegible] A. [illegible] in the States.
Q. [illegible] A. Yes sir.
Q. [illegible] A. Yes sir.
Q. You claim your right through your father? A. Yes sir.
Q. [illegible] A. [illegible]
Q. [illegible] A. Yes sir.
Q. [illegible] A. [illegible] Choctaw Nation.
Q. [illegible] A. [illegible]

[illegible]

Q. [illegible] A. [illegible] Wells.
Q. [illegible] A. [illegible]
Q. [illegible] A. [illegible]
Q. [illegible] A. [illegible]
Q. [illegible] A. [illegible]
Q. [illegible] A. [illegible]
Q. [illegible] A. [illegible]
Q. [illegible] A. [illegible]

Coleman Miller-2.

Q [illegible] A He's three years old.
Q [illegible] A [illegible]
Q [illegible] A [illegible] years old.
Q [illegible] are at present [illegible] the State of [illegible]
Q [illegible] living there since 1879? A Yes sir.

- - - - - - - - - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 28th day of November, 1902, and that the above and foregoing is a full true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

[illegible] 1902.

H. E. Rodden

Notary Public.

Lorenzo Walls et al.

REFUSED

DECISION RENDERED MAY [illegible] 1905

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS MAY 23 1905

NOTICE OF DECISION
FOR WARDED TO ATTORNEY
FOR APPLICANTS. MAY 23 1905

COPY OF DECISION FORWARDED
APPLICANT MAY 23 1905

RECORD FORWARDED DEPARTMENT.

MAY [illegible] 1905

ACTION APPROVED BY
SECRETARY OF INTERIOR. JUL 27 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATION AUG -1 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT. AUG -1 1905

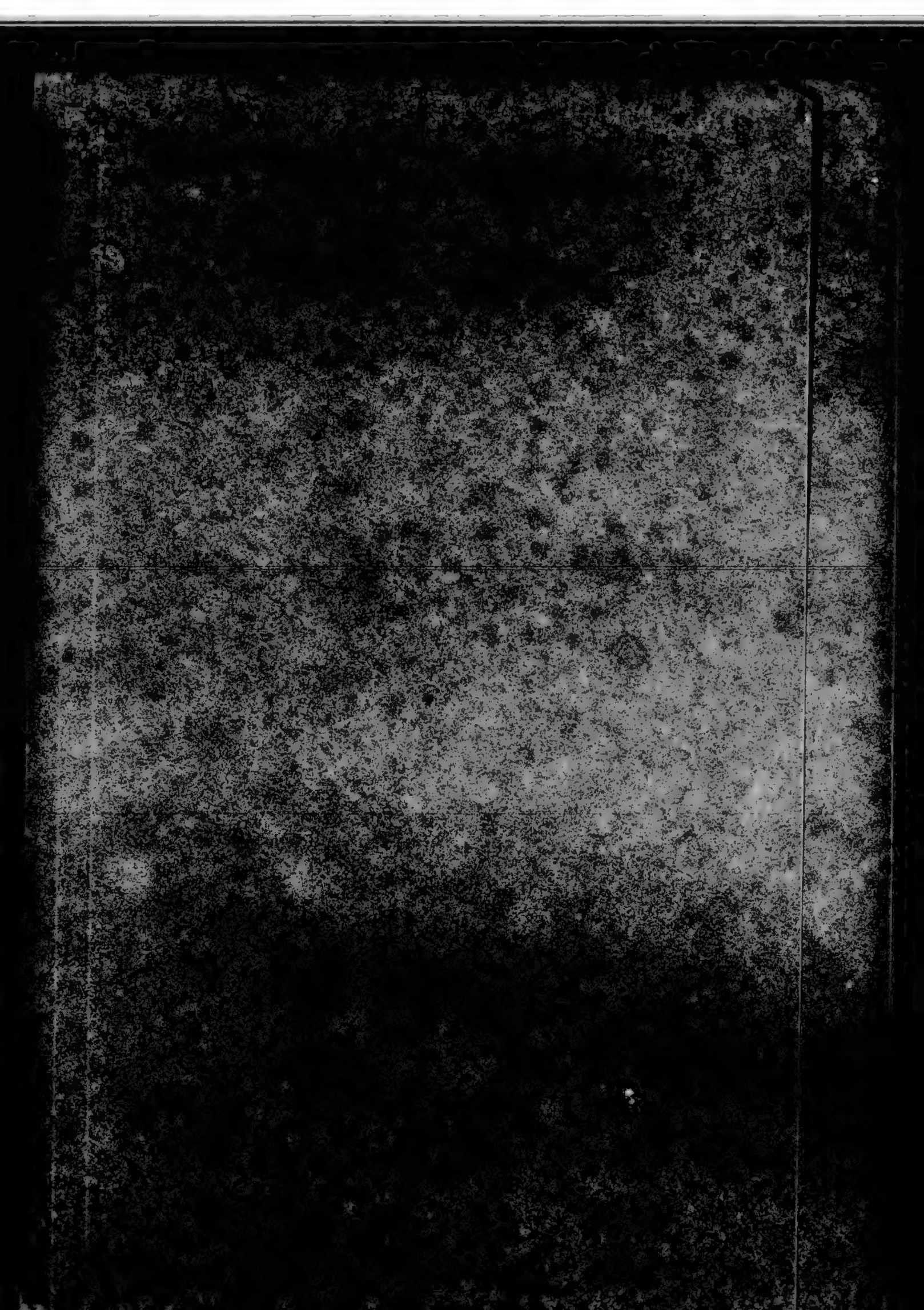
NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANTS AUG -1 1905

Choc FR D-189 George Woods

Granted and Trans to Choc FR 1523

Jun 1, 1905

D-189



Original
Choctaw Freedman

Department of the Interior.
Commission to the Five Civilized Tribes.
Garvin, I. T., November 27th, 1902.

--------oOo--------

In the matter of the application of Annie Allen for enrollment as a freedman of the Choctaw Nation; also her two minor children, Jesse and Tom Allen.

Annie Allen being first duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Annie Allen.
Q How old are you? A About forty-seven.
Q What is your post office address? A My post office address is Antlers right now.
Q How long have you been a resident of the Choctaw Nation?
A I have been living in the Choctaw Nation for - -about twenty years ago as near as I can come at it, and I was taken from them away here over in the Territory when I was a child; taken away a child.
Q You state you have lived in the Choctaw Nation for twenty years?
A For twenty years as near as I can come at it.
Q Do you claim to be a freedman of the Choctaw Nation?
A Yes sir, yes sir.
Q What is the name of your father? A Well, I don't know the name of my father, but I was freed by the Choctaws.
Q What is the name of your mother? A Judie Hampton, that was her people's name--her owner.
Q What was her name? A Judie is all I can tell you; I don't know her other name.
Q Is your mother living or dead? A She's dead.
Q When did she die? A She died in slavery time.
Q Was your mother a slave? A A slave?
Q Yes? A Yes sir, she was a slave at the time she died.
Q Were you ever a slave? A Yes sir.
Q What was the name of your owner? A Isaac Hampton.
Q Was he an Indian? A Yes sir, yes sir, he was an Indian.
Q What tribe did he belong to? A What tribe? Well, I don't know sir; I couldn't tell you for I was quite small.
Q Why are you applying for enrollment as a Choctaw freedman?
A Well, because I was freed under the Choctaw.
Q Because you were freed in the Choctaw Nation? A Yes sir.
Q Don't know anything about your master do you? A Don't know anything about my master? Well I told you right now that my master was Isaac Hampton.
Q You told us the name but you said you didn't know what tribe of Indians he belonged to? A Well, Choctaw.

Q Do you know that? A Yes sir, the tribe of Choctaws.
Q He was a Choctaw Indian was he? A Yes sir, he was a Choctaw Indian.
Q Was he a recognized member of that tribe? A Yes sir.
Q Where did he live? A He lived - - I couldn't tell you where just exactly that he lived at, but he lived in the Territory I know that.
Q In what part of the Territory? A Somewhere about Shawnee-town as near as I could come at it.
Q How old were you when the slaves were freed? A I was eight or nine years old.
Q Do you remember that time distinctly? A Yes sir, I can remember that time.
Q Where were you living at the time you were freed? A Well, I was living on the Hampton place, but I couldn't just remember where that place is at.
Q Do you know whether it was in the Choctaw Nation? A It was in the Choctaw Nation.
Q You are sure of that? A Yes sir, it was in the Choctaw Nation, I am sure of that.
Q Did you ever have any other owner except Isaac Hampton?
A No sir.
Q What did you do after you were freed; where did you go?
A Well, when I was freed I stayed here and I was given to a white man by the name of Tom Duke by my aunt--one of my aunts--Aunt Hanna.
Q Did this man Tom Duke raise you? A Yes sir, he raised me from eight or nine years old as near as I can come at it, he raised me from that then on up.
Q Where did this Tom Duke live? A He lived here in the Territory.
Q And you lived right on his place did you? A Yes sir, he lived here a while in the Territory.
Q When did you first leave the Territory? A When did I first leave the Territory? Well, when I first left the Territory I left here with him--with this Tom Duke.
Q When was that? A Well, I couldn't tell you just exactly how long that's back; it's been several years ago, though.
Q Were you a woman then? A No sir, I wasn't a woman then.
Q How old were you at that time? A When we left here?
Q Yes? A Well, I was about twelve or fourteen years I reckon.
Q Was that soon after you were freed? A Yes sir.
Q How many years after you were freed? A How many years after I was freed? Well, I couldn't tell you just exactly, for I couldn't remember that.
Q [illegible] four years? A Yes sir, something after three [illegible] four years I guess.
Q [illegible] at that [illegible] I stayed [illegible] - I was [illegible]
Q [illegible] freed? A In the State of [illegible] I was raised [illegible]
Q [illegible] Nation? A Well, [illegible] of the business I [illegible]
Q [illegible] back? A [illegible] I haven't been back to stay.

Q Have you always since you went out with this Tom Duke, lived in the state of Texas? A Yes sir, I was principally raised there.
Q And lived there all the rest of your life? A Yes sir.
Q You have never made your permanent home in the Choctaw Nation since that time? A Not exactly I haven't.
Q You haven't? A No sir, I have not.
Q You are at present living over in the state of Texas? A Yes sir.
Q Have you ever enrolled as a Choctaw freedman by the Choctaw tribal authorities? A No sir, not until just now.
Q Did you ever appear before this Commission for enrollment as a Choctaw freedman? A No sir, not up until now.
Q What part of Texas do you live in now? A Well, I stays - - well, I stays near - - in the state of Texas, Paris.
Q What did you give your post office address to me a few moments ago at Antlers for? A No, no, I did wrong there, you will have to allow me for I never was in this work before, and whenever I make a mistake you will have to leave it to my ignorant a little.
Q Well I want you to tell the truth? A Well I am going to tell the truth. At present I am at Antlers.
Q You are just visiting? A I am staying with my brother there now; I came over to see him.
Q You are just up there on a visit? A Yes sir.
Q You intend to return to Paris? A Yes sir, something near there is my home right now at the present.
Q Well, do you get your mail at Paris, Texas? A Yes sir.
Q Are you married? A Yes sir.
Q What is your husband's name? A Sam Allen.
Q Is he a freedman or a non-citizen? A He is a freedman.
Q Of what Nation? A I wouldn't tell you that either way; I want to tell the truth about this thing as near as I know.
Q Well, your husband isn't a freedman of either the Choctaw or Chickasaw Nations is he? A No sir.
Q Have you got any children? A Yes sir.
Q How many? A Mother of ten children.
Q They are all living? A No sir, five dead and six living.
Q What is the name of the eldest living one? A A The eldest of my living ones is Ed Allen.
Q How old is he? A He's about twenty-nine years old. The little ones you say?
Q Yes, and I only want the names; I don't want the names of the ones the are of age, just give the names of the ones under age?
A Yes sir.
Q [illegible] of the oldest one who is under age?
A Well, the eldest one is [illegible]. Well, the older one is Laura. Laura [illegible] the reader is one that is [illegible] you for that id?
Q How old that man's [illegible] of age? A Well, he's fourteen.
Q What is his name? A Jesse Allen.
Q Is that the only boy who is under age? A No sir, there's another one [illegible] there's a reader?
Q What is his name? A Tom Allen.
Q How old is he? A Eleven years old.
Q Is that the only two who are not of age? A Yes sir, all not of age, yes sir.

[illegible]

Subscribed and sworn to before me this [illegible] day of [illegible], 1882.

[illegible]

Notary Public.

M.P.Le

17-B-192.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment of Annie Allen and her minor children as Choctaw Freedmen.

--: D E C I S I O N :--

It appears from the record herein that on November 27, 1902, application was made to this Commission for the enrollment of Annie Allen and her minor children, Jesse Allen, fourteen years of age, and Tom Allen, eleven years of age, as Choctaw Freedmen.

It further appears from the record herein that the principal applicant, Annie Allen, was the slave of one Isaac Kempton, a recognized Choctaw citizen, during and at the close of the War of the Rebellion; that the said Annie Allen was not a resident in good faith of the Indian Territory on June 28, 1898, nor for several years prior thereto.

It further appears from the record herein that Jesse Allen and Tom Allen are the minor children of the said Annie Allen, and have made their home with their mother since the dates of their respective births up to the instant September 28, 1902.

It is, therefore, the opinion of this Commission that Annie Allen, Jesse Allen and Tom Allen are not entitled to be enrolled as Choctaw Freedmen, and that the application for their enrollment as such should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1898, (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

MAY 19 1905

17-3-192

Muskogee, Indian Territory, May 14, 1906.

COPY

Annie Allen,

Paris, Texas,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 12, 1906, denying the application for the enrollment of yourself and two children, Jesse Allen and Tom Allen, as Choctaw freedmen.

The decision, with the record of proceedings in the same, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you, as soon as the Commission is informed of the same.

Respectfully,

SIGNED Tams Bixby

Chairman.

Inclosures,
Ind. 17-3-192

[illegible]

[illegible], Indian Territory, [illegible]

COPY

[illegible],

[illegible] and Choctaw Nations,

[illegible], Indian Territory.

[illegible]

[illegible] you will find a copy of the [illegible] [illegible] Allen, [illegible] and [illegible] [illegible]

[illegible] of proceedings in the [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

COPY.

[illegible]

[illegible]

[illegible]

[illegible]

SIGNED

[illegible]

[illegible]

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

G.R.
LLB

D.C. 47362-1905.
I.T.D. 6356-1905.

October 9, 1905.

LRS

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

May 19, 1905, the Commission to the Five Civilized Tribes transmitted the record of the application of Annie Allen for the enrollment of herself and her two minor children, Jesse and Tom Allen, as Choctaw freedmen, including the decision of the Commission of same date, denying said application on the ground that Annie Allen, the principal applicant and mother of Jesse Allen and Tom Allen, had not removed to and in good faith settled in the Choctaw Nation on or prior to June 28, 1898.

May 26, 1905, the Acting Commissioner of Indian Affairs reporting thereon, recommended that the decision of the Commission denying said application be affirmed. A copy of his letter is inclosed.

The Department concurs in the recommendation made and the decision of the Commission to the Five Civilized Tribes dated May 19, 1905, denying the application of Annie Allen for the enrollment of herself and her two minor children, Jesse Allen and Tom Allen, as Choctaw freedmen is hereby affirmed.

Respectfully,

E. A. Hitchcock,
Secretary.

1 inclosure.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON. May 26, 1905.

Land.
38943-1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated May 19, 1905, transmitting the record of the application for enrollment as Choctaw Freedmen by Annie Allen for herself and her minor children, Jesse and Tom Allen.

May 19, 1905, the Commission decided adversely to the applicants.

The record shows that the principal applicant was the slave of a recognized Choctaw citizen during and at the close of the war of the rebellion; that she was not a resident in good faith of the Indian Territory on June 28, 1898, nor for several years prior thereto; that the other applicants are minor children of Annie Allen and have made their home with their mother since birth up to and including September 25, 1902.

In view of the record the approval of the Commission's decision adverse to the applicants is recommended.

Very respectfully,

C. F. Larrabee
Acting Commissioner.

E.M.M.

[illegible]

[illegible], Indian Territory, October [illegible], 1908

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] I do hereby certify that the Secretary of the [illegible] under date of October [illegible], 1908, ordered the destroyed [illegible] the Organization of the Five Civilized Tribes dated [illegible] [illegible] [illegible] the enrollment of [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible]

[illegible]

17-D-143

Muskogee, Indian Territory, October 17, 1905.

Mansfield, Mallory & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of October 9th 1905, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 15, 1905, denying the application for the enrollment of Annie Allen, Jesse Allen and Ted Allen as Choctaw freedmen.

Respectfully,

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

Opened by mistake by
Annie Allen
Addressee unknown
at Sam "ed

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

11694

MUSKOGEE / MUSK

Reg # 20074
20071

PARIS, TEXAS
MAY
21
1911
REC

27-D-298.

Shawnee, Indian Territory, August 20, 1884.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] will hold a sale on at the Shawnee land [illegible], Indian Territory, September 8th, 1884 and at the [illegible] land office, Kickapoo, Indian Territory, September [illegible]

[illegible] you may appear at one of the above named [illegible], together with such witnesses as you may be able to [illegible] the evidence of settlement [illegible] and culture as further prescribed, you [illegible] for that purpose at the general office of the [illegible], Indian Territory at any time.

Respectfully,

[illegible]

W.O.B

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKENRIDGE.

WM. O. BEALL,
Secretary.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
17-D-192

Muskogee, Indian Territory, May 18, 1905.

[redacted] Allen,

Paris, Texas,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 18, 1905, denying the application for the enrollment of yourself and two children, Jesse Allen and Tom Allen, as Choctaw freedmen.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

Registered.
Incl. 17-D-192

Annie Allen, e al

DECISION RENDERED. MAY 19 1905

REFUSED

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND MAY 19 1905
CHICKASAW NATIONS.

COPY OF DECISION FORWARDED
APPLICANT

RECORD FORWARDED DEPARTMENT.
ACTION APPROVED BY OCT 9 1905
SECRETARY OF INTERIOR.

DEPARTMENTAL ACTION
ATTORNEYS FOR CHOCTAW
CHICKASAW NATIONS.
OCT 17 1905

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

OCT 17 1905

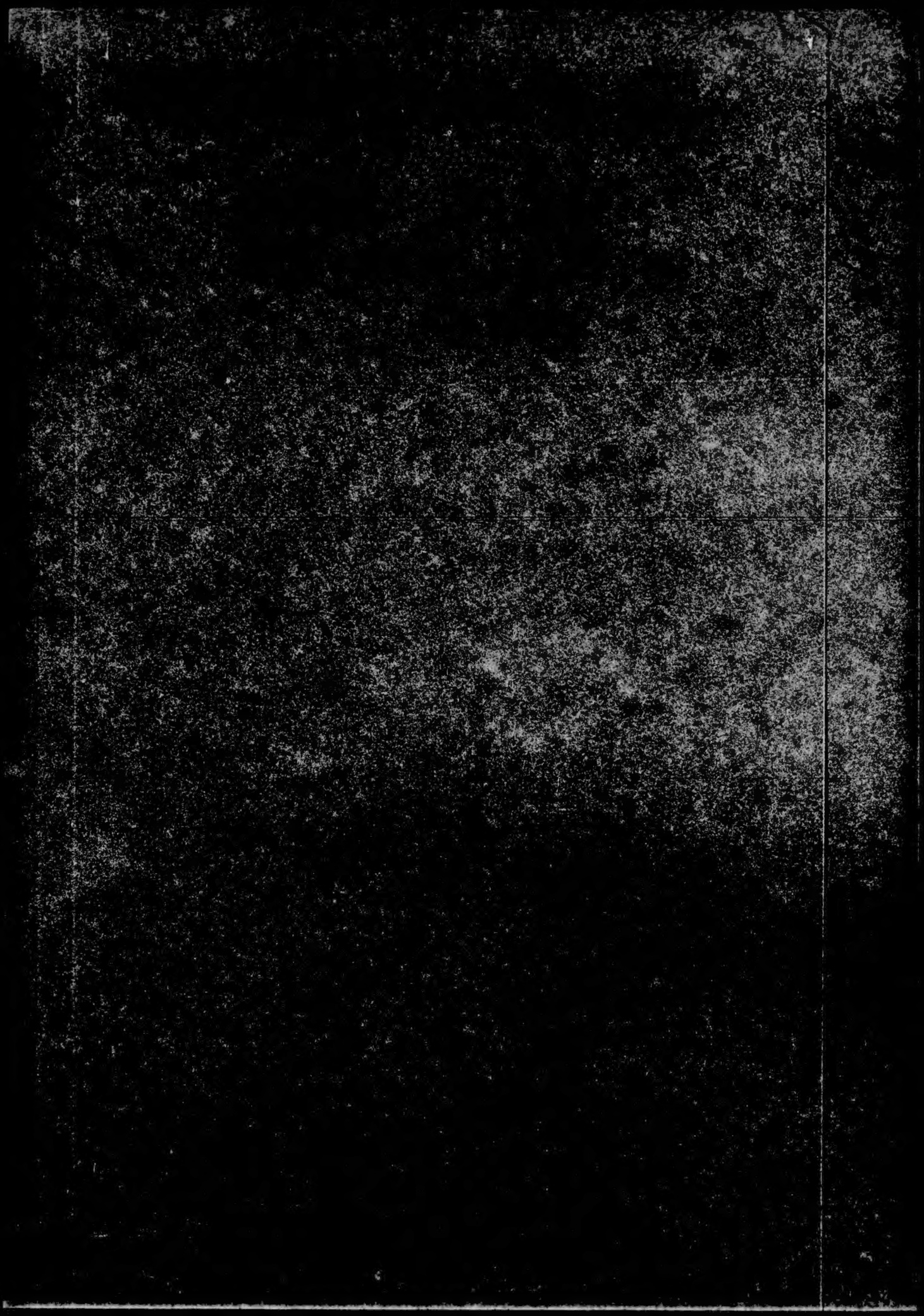
Chas R. Ellis Jane Dixon

Married at Home of

Chas R. Ellis

Nov 19, 1845

ER D-143



END
OF
ROLL